

sage of law prohibiting the exportation of prehistoric objects and for their preservation—to the Committee on the Public Lands.

By Mr. SIBLEY: Resolutions of Ralph Clapp Post, No. 569; Eliza Thompson Post, No. 417; Clarksville Post, No. 557, and Baker Post, No. 615, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. STEENERSON: Resolution of Live Stock, Swine, and Sheep Breeders' Association, relative to investigating infectious diseases among domestic animals—to the Committee on Agriculture.

By Mr. STEPHENS of Texas: Papers to accompany bill H. R. 696, granting a pension to C. A. Brighton—to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: Resolution of the Minneapolis cigar makers, in favor of bill H. R. 6—to the Committee on Ways and Means.

Also, petition of the Merriam Park Presbyterian Church, of St. Paul, Minn., relative to the nullification of State liquor laws—to the Committee on the Judiciary.

Also, petition of Cook Street Methodist Episcopal Church, of St. Paul, Minn., relative to the nullification of State liquor laws—to the Committee on the Judiciary.

Also, petition of S. C. Leigh and others, of St. Paul, Minn., relative to the nullification of State liquor laws—to the Committee on the Judiciary.

By Mr. SULLIVAN of New York: Petition of Mrs. Sarah Clay Bennett, relative to the extension of franchise to women—to the Committee on the Judiciary.

By Mr. SULZER: Resolution of the New York State assembly, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. TATE: Papers to accompany bill granting a pension to Talitha C. Parker—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Jephtha B. Harrington—to the Committee on Claims.

By Mr. THOMAS of Iowa: Resolution of the Builders' Exchange of St. Paul, Minn., against anti-injunction bill—to the Committee on the Judiciary.

By Mr. THOMAS of North Carolina: Petition praying reference of claim of Franklin Foy and other claims to Court of Claims—to the Committee on War Claims.

By Mr. TIRRELL: Paper to accompany bill H. R. 11575, granting a pension to Abel N. Button—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Resolution of Macedonia Post, No. 469, Grand Army of the Republic, of Macedonia, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to John Sayers—to the Committee on Invalid Pensions.

Also, papers to accompany claim of James E. Johnston—to the Committee on War Claims.

## SENATE.

MONDAY, February 15, 1904.

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. HALE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

### EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. HOAR. Are we to have no routine morning business transacted?

Mr. LODGE. Yes; afterwards.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Illinois.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the House had passed the following bills:

A bill (S. 38) granting an increase of pension to Miriam R. Adams;

A bill (S. 70) granting an increase of pension to John G. Brown;

A bill (S. 136) granting an increase of pension to Mary T. Strickland;

A bill (S. 142) granting an increase of pension to Henry W. Nichols;

A bill (S. 167) granting an increase of pension to J. Hudson Kibbe;

A bill (S. 189) granting an increase of pension to Edwin H. Wheeler;

A bill (S. 191) granting an increase of pension to Francis Roy;

A bill (S. 265) granting an increase of pension to Frances Gray;

A bill (S. 593) granting an increase of pension to William H. Horn;

A bill (S. 594) granting an increase of pension to Finley T. Johnson;

A bill (S. 782) granting a pension to Mary D. Duval;

A bill (S. 797) granting a pension to Mary H. Allen;

A bill (S. 846) granting an increase of pension to Catharine W. Collins;

A bill (S. 880) granting an increase of pension to Allen W. (alias Albert) Hall;

A bill (S. 889) granting an increase of pension to Catherine A. Brown;

A bill (S. 891) granting an increase of pension to Erwin R. Cole;

A bill (S. 895) granting an increase of pension to Charles Disbrow;

A bill (S. 897) granting an increase of pension to Lewis D. Frogge;

A bill (S. 962) granting an increase of pension to Jennet Thoits;

A bill (S. 980) granting an increase of pension to Mary Von Kusserow;

A bill (S. 1239) granting an increase of pension to John Adamson;

A bill (S. 1241) granting an increase of pension to Hamlet F. Roberts;

A bill (S. 1242) granting an increase of pension to Thomas Davis;

A bill (S. 1356) granting a pension to Robert Kelly;

A bill (S. 1358) granting an increase of pension to William W. Lackey;

A bill (S. 1428) granting an increase of pension to George Pennington;

A bill (S. 1451) granting an increase of pension to Eleanor H. Hord;

A bill (S. 1532) granting an increase of pension to Electa Allen;

A bill (S. 1597) granting a pension to Rosa D. Mayhew;

A bill (S. 1688) granting an increase of pension to Frederick Bellman;

A bill (S. 1689) granting an increase of pension to Henry H. Houghton;

A bill (S. 1799) granting an increase of pension to Charles E. Decker;

A bill (S. 1802) granting an increase of pension to Isaac M. Couch;

A bill (S. 1911) granting an increase of pension to Ambrose W. Severance;

A bill (S. 1912) granting an increase of pension to Joseph W. Booker;

A bill (S. 1937) granting an increase of pension to Samuel Richards;

A bill (S. 1947) granting an increase of pension to Patrick Judge;

A bill (S. 1953) granting a pension to Susan Fenno;

A bill (S. 1954) granting an increase of pension to Benton D. Bitner;

A bill (S. 1956) granting an increase of pension to Seth H. Craig;

A bill (S. 2061) granting an increase of pension to William H. Barlow;

A bill (S. 2068) granting an increase of pension to Julia A. Roberts;

A bill (S. 2093) granting an increase of pension to Victoria M. Steele;

A bill (S. 2103) granting an increase of pension to John L. McVey;

A bill (S. 2126) granting an increase of pension to Thomas Williams, alias Thomas W. Lennox;

A bill (S. 2128) granting an increase of pension to George A. Seebold;

A bill (S. 2215) granting a pension to Sallie H. Hoffecker;

A bill (S. 2217) granting an increase of pension to Henry C. Riggs;

A bill (S. 2222) granting an increase of pension to Richard A. Kendall;

A bill (S. 2230) granting an increase of pension to Matilda C. Lothrop;

A bill (S. 2236) granting an increase of pension to James Reed;

A bill (S. 2245) granting an increase of pension to Daniel Fritz;

A bill (S. 2250) granting an increase of pension to Anna Pritchard;

- A bill (S. 2298) granting a pension to Patrick J. Conway;  
 A bill (S. 2323) relating to ceded lands on the Fort Hall Indian Reservation;  
 A bill (S. 2373) granting an increase of pension to Charles Cummings;  
 A bill (S. 2374) granting an increase of pension to Alonzo Moses;  
 A bill (S. 2392) granting an increase of pension to William W. Misner;  
 A bill (S. 2416) granting an increase of pension to Mary Joanna Adams;  
 A bill (S. 2418) granting a pension to Marit Johnson;  
 A bill (S. 2440) granting an increase of pension to George Olsen;  
 A bill (S. 2441) granting an increase of pension to Frank Lee;  
 A bill (S. 2496) granting an increase of pension to Ebenezer Wing;  
 A bill (S. 2509) granting an increase of pension to Abner B. Edson;  
 A bill (S. 2517) granting an increase of pension to Elijah Farr;  
 A bill (S. 2527) granting an increase of pension to Joseph Roberts;  
 A bill (S. 2542) granting an increase of pension to James E. Larkin;  
 A bill (S. 2543) granting an increase of pension to Ella B. Green;  
 A bill (S. 2544) granting an increase of pension to Albert T. Severance;  
 A bill (S. 2548) granting an increase of pension to Emma McFarland;  
 A bill (S. 2549) granting an increase of pension to Charles W. Jellison;  
 A bill (S. 2557) granting a pension to Johniken L. Mynatt;  
 A bill (S. 2558) granting an increase of pension to Sallie H. Kincaid;  
 A bill (S. 2559) granting a pension to James Graham;  
 A bill (S. 2561) granting an increase of pension to Mathias S. Friend;  
 A bill (S. 2576) granting an increase of pension to James Redshaw;  
 A bill (S. 2577) granting an increase of pension to Albert Marshall;  
 A bill (S. 2612) granting a pension to Sarah J. Bellamy;  
 A bill (S. 2642) granting an increase of pension to Leonard G. Freeman;  
 A bill (S. 2643) granting an increase of pension to Melinda H. Chapman;  
 A bill (S. 2668) granting an increase of pension to Alpheus Fawcett;  
 A bill (S. 2689) granting an increase of pension to David M. Kanouse;  
 A bill (S. 2712) granting an increase of pension to Harriet Billings;  
 A bill (S. 2797) granting an increase of pension to Edward A. Cotting;  
 A bill (S. 2841) granting a pension to Jane Patterson;  
 A bill (S. 2858) granting an increase of pension to Delia B. Stuart;  
 A bill (S. 2889) granting an increase of pension to John Beaird;  
 A bill (S. 2924) granting an increase of pension to Samuel E. Cormany;  
 A bill (S. 2947) granting an increase of pension to Thomas Bratton;  
 A bill (S. 2965) granting an increase of pension to John Herzinger;  
 A bill (S. 3166) granting an increase of pension to Levi B. Lewis;  
 A bill (S. 3400) to amend the act entitled "An act granting a pension to Flora Stanton Kalk," approved February 25, 1899; and  
 A bill (S. 4125) to authorize the Little Rock and Monroe Railway Company to construct, maintain, and use a bridge across Ouachita River, in the State of Louisiana, at a point between Ouachita City and the mouth of Bayou Loutre.
- The message also announced that the House had passed with amendments the following bills in which it requested the concurrence of the Senate:
- A bill (S. 486) granting a pension to Green B. Yawn;  
 A bill (S. 1330) granting a pension to Jerry S. Fish;  
 A bill (S. 2596) granting a pension to Frances S. Hopkins; and  
 A bill (S. 2809) granting an increase of pension to Jesse J. Finley.
- The message further announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:
- A bill (H. R. 614) granting a pension to Michael O'Brien, alias Michael Clifford;  
 A bill (H. R. 719) granting an increase of pension to John H. Willey;  
 A bill (H. R. 720) granting an increase of pension to Frank L. Gray;  
 A bill (H. R. 783) granting an increase of pension to Nicholas Reinhart;  
 A bill (H. R. 789) granting an increase of pension to Eli Lachman;  
 A bill (H. R. 807) granting an increase of pension to William F. Benefiel;  
 A bill (H. R. 859) granting an increase of pension to Andrew Barr;  
 A bill (H. R. 877) granting a pension to Ann M. Driggars;  
 A bill (H. R. 880) granting a pension to Caroline S. Winn;  
 A bill (H. R. 910) granting an increase of pension to Freeman York;  
 A bill (H. R. 936) granting an increase of pension to William Millian;  
 A bill (H. R. 941) granting an increase of pension to William D. Taylor;  
 A bill (H. R. 1005) granting an increase of pension to Marat E. Powell;  
 A bill (H. R. 1179) granting an increase of pension to Jasper Richey;  
 A bill (H. R. 1287) granting an increase of pension to Cyrus B. Dopp;  
 A bill (H. R. 1314) granting a pension to Denison L. Brown;  
 A bill (H. R. 1317) granting an increase of pension to Thomas E. McIntire;  
 A bill (H. R. 1339) granting an increase of pension to Joseph P. Scott;  
 A bill (H. R. 1352) granting an increase of pension to Samuel McClure;  
 A bill (H. R. 1485) granting an increase of pension to Franklin Ferguson;  
 A bill (H. R. 1563) granting an increase of pension to Ory Wariner;  
 A bill (H. R. 1566) granting an increase of pension to Ellis T. Peirce;  
 A bill (H. R. 1623) granting an increase of pension to John H. Reed;  
 A bill (H. R. 1801) granting a pension to James Allen;  
 A bill (H. R. 1851) granting an increase of pension to David T. Towles;  
 A bill (H. R. 2001) granting an increase of pension to Nora J. Glahn;  
 A bill (H. R. 2116) granting an increase of pension to Richard C. Ivory;  
 A bill (H. R. 2192) granting an increase of pension to William O. Smith;  
 A bill (H. R. 2204) granting an increase of pension to Addison B. Stone;  
 A bill (H. R. 2470) granting an increase of pension to Harriet S. Packard;  
 A bill (H. R. 2572) granting an increase of pension to George W. Steffey;  
 A bill (H. R. 2573) granting an increase of pension to William G. Cronkite;  
 A bill (H. R. 2692) granting an increase of pension to Elwood Finley;  
 A bill (H. R. 2769) granting an increase of pension to William E. Armstrong;  
 A bill (H. R. 2930) granting an increase of pension to Lafayette M. Greene;  
 A bill (H. R. 2947) granting an increase of pension to William F. Thompson;  
 A bill (H. R. 2976) granting an increase of pension to Enoch J. Evans;  
 A bill (H. R. 2995) granting a pension to Mary Korth;  
 A bill (H. R. 3011) granting an increase of pension to Phillip Duttonhaver;  
 A bill (H. R. 3027) granting an increase of pension to William H. Vickers;  
 A bill (H. R. 3370) granting an increase of pension to Joseph Adams;  
 A bill (H. R. 3402) granting an increase of pension to Daniel Nagle, jr.;  
 A bill (H. R. 3670) granting an increase of pension to Benjamin F. Barrett;  
 A bill (H. R. 3769) granting an increase of pension to Clinton M. Casey;  
 A bill (H. R. 3909) granting an increase of pension to George Hayden;  
 A bill (H. R. 3910) granting an increase of pension to Charles W. Hoffman;  
 A bill (H. R. 3936) granting an increase of pension to Isaac Frazier;  
 A bill (H. R. 4119) granting an increase of pension to William Mercer;  
 A bill (H. R. 4151) granting an increase of pension to John W. Foland;



A bill (H. R. 4179) granting an increase of pension to Martha C. Kuhn;  
 A bill (H. R. 4180) granting an increase of pension to Joseph G. Thomas;  
 A bill (H. R. 4192) granting an increase of pension to Frederick A. Slocum;  
 A bill (H. R. 4198) granting an increase of pension to Edwin Lake;  
 A bill (H. R. 4314) granting an increase of pension to John F. Slade;  
 A bill (H. R. 4318) granting a pension to David B. Wood;  
 A bill (H. R. 4326) granting an increase of pension to Wilfred C. McCardell;  
 A bill (H. R. 4391) granting an increase of pension to Nicholas Schwemler;  
 A bill (H. R. 4392) granting a pension to Abbie E. Webster;  
 A bill (H. R. 4449) granting an increase of pension to William Brown;  
 A bill (H. R. 4466) granting an increase of pension to William R. Burton;  
 A bill (H. R. 4540) granting a pension to Amanda Skinner;  
 A bill (H. R. 4589) granting a pension to Henry H. Barrett;  
 A bill (H. R. 4605) granting an increase of pension to William Herlinger;  
 A bill (H. R. 4624) granting a pension to Isabella Phelps;  
 A bill (H. R. 4630) granting an increase of pension to Thaddens S. Collins;  
 A bill (H. R. 4631) granting an increase of pension to Julius Krag;  
 A bill (H. R. 4642) granting an increase of pension to William L. Wheeler;  
 A bill (H. R. 4674) granting an increase of pension to John Thompson;  
 A bill (H. R. 4679) granting an increase of pension to Martha M. Pierce;  
 A bill (H. R. 4702) granting an increase of pension to John T. Collins;  
 A bill (H. R. 4719) granting an increase of pension to Joseph F. Carter;  
 A bill (H. R. 4750) granting a pension to W. I. Jackson;  
 A bill (H. R. 4872) granting an increase of pension to Albert W. Bradbury;  
 A bill (H. R. 4910) granting an increase of pension to Prudentia L. D. Nugent;  
 A bill (H. R. 4943) granting an increase of pension to Thomas Morgan;  
 A bill (H. R. 4964) granting an increase of pension to Charles E. Mink;  
 A bill (H. R. 5006) granting a pension to Sarah Ulshafer;  
 A bill (H. R. 5030) granting a pension to William H. Mount;  
 A bill (H. R. 5045) granting an increase of pension to Albert S. Elmore;  
 A bill (H. R. 5149) granting an increase of pension to John W. Erwin;  
 A bill (H. R. 5155) granting an increase of pension to John J. Tompkins;  
 A bill (H. R. 5342) granting a pension to Jane E. Sutfin;  
 A bill (H. R. 5479) granting an increase of pension to William H. Anderson;  
 A bill (H. R. 5532) granting an increase of pension to Levi Vassar;  
 A bill (H. R. 5568) granting an increase of pension to Emily Chapman;  
 A bill (H. R. 5580) granting a pension to Celia C. Owen;  
 A bill (H. R. 5603) granting an increase of pension to William C. McCormick;  
 A bill (H. R. 5610) granting a pension to Annie Dorfner;  
 A bill (H. R. 5749) granting a pension to James B. Combs;  
 A bill (H. R. 5750) granting an increase of pension to William Cassidy;  
 A bill (H. R. 5849) granting an increase of pension to Catharine R. Brown;  
 A bill (H. R. 5868) granting an increase of pension to William Simmons;  
 A bill (H. R. 5879) granting an increase of pension to Bennett Putnam;  
 A bill (H. R. 5999) granting an increase of pension to Ann Jennette Whitney;  
 A bill (H. R. 6038) granting an increase of pension to Benjamin George;  
 A bill (H. R. 6335) granting an increase of pension to James A. Barnes;  
 A bill (H. R. 6455) granting an increase of pension to Abraham W. Cochran;  
 A bill (H. R. 6602) granting an increase of pension to Benjamin F. Hackett;  
 A bill (H. R. 6618) granting an increase of pension to Henry C. Coffin;

A bill (H. R. 6703) granting an increase of pension to Levi Remick;  
 A bill (H. R. 6814) granting an increase of pension to Edward W. Miller;  
 A bill (H. R. 6816) granting an increase of pension to Frederick Ratzel;  
 A bill (H. R. 6817) granting a pension to Rosa Glass;  
 A bill (H. R. 6869) granting an increase of pension to Lorenzo D. Elmer;  
 A bill (H. R. 6881) granting an increase of pension to Zachariah T. Bryant;  
 A bill (H. R. 6911) granting an increase of pension to James H. Weston;  
 A bill (H. R. 6951) granting an increase of pension to Charles G. Corr;  
 A bill (H. R. 6977) granting an increase of pension to Mary A. Graves;  
 A bill (H. R. 6999) granting an increase of pension to Albert W. Jones;  
 A bill (H. R. 7063) granting a pension to Ellen F. Lynch;  
 A bill (H. R. 7066) granting a pension to Elizabeth B. Constant;  
 A bill (H. R. 7083) granting an increase of pension to Albert P. Jackson;  
 A bill (H. R. 7096) granting an increase of pension to Eva A. Burgess;  
 A bill (H. R. 7221) granting an increase of pension to John Ryan;  
 A bill (H. R. 7236) granting an increase of pension to William R. McCullough;  
 A bill (H. R. 7239) granting a pension to Lydia M. Hill;  
 A bill (H. R. 7248) granting a pension to Robert H. Cooke;  
 A bill (H. R. 7311) granting an increase of pension to Rachel Large;  
 A bill (H. R. 7368) granting a pension to Annie G. Norwood;  
 A bill (H. R. 7382) granting a pension to Ellen A. Harmon;  
 A bill (H. R. 7410) granting an increase of pension to Enos D. Hoge;  
 A bill (H. R. 7418) granting an increase of pension to Peter Minkler;  
 A bill (H. R. 7436) granting an increase of pension to James Smith;  
 A bill (H. R. 7444) granting an increase of pension to Washington J. Dutcher;  
 A bill (H. R. 7559) granting a pension to Caroline Hurley;  
 A bill (H. R. 7659) granting an increase of pension to Emma M. Elliott;  
 A bill (H. R. 7680) granting an increase of pension to De Witt C. Folsom;  
 A bill (H. R. 7712) granting a pension to Emma Crosier;  
 A bill (H. R. 7719) granting an increase of pension to Hiram B. Cozine;  
 A bill (H. R. 7737) granting an increase of pension to Howard McGuire;  
 A bill (H. R. 7805) granting an increase of pension to William N. Hall;  
 A bill (H. R. 7814) granting an increase of pension to James G. Andrews;  
 A bill (H. R. 7992) granting an increase of pension to Isadore F. Chamberlain;  
 A bill (H. R. 7999) granting an increase of pension to David W. Williamson;  
 A bill (H. R. 8022) granting an increase of pension to Hiram Flint;  
 A bill (H. R. 8079) granting an increase of pension to Charles La Forest;  
 A bill (H. R. 8124) granting an increase of pension to Elizabeth Hatfield;  
 A bill (H. R. 8173) granting an increase of pension to Anna Waters;  
 A bill (H. R. 8185) granting a pension to Herman Lemmerman;  
 A bill (H. R. 8203) granting an increase of pension to James M. Hemphill;  
 A bill (H. R. 8227) granting a pension to Lucius E. Polk;  
 A bill (H. R. 8231) granting an increase of pension to John Gangwisch;  
 A bill (H. R. 8272) granting an increase of pension to Stephen Elliott;  
 A bill (H. R. 8284) granting an increase of pension to Samuel G. Woods;  
 A bill (H. R. 8343) granting a pension to Annie P. Erving, formerly Cilla Zerbe;  
 A bill (H. R. 8379) granting an increase of pension to Ira B. Wambaugh;  
 A bill (H. R. 8410) granting an increase of pension to George B. Fairhead;  
 A bill (H. R. 8648) granting a pension to Shadrach D. Bardin;  
 A bill (H. R. 8718) granting an increase of pension to Caswell P. Ford;

A bill (H. R. 8733) granting an increase of pension to Benjamin F. McGraw;  
 A bill (H. R. 8771) granting a pension to Walter F. Horner;  
 A bill (H. R. 8811) granting an increase of pension to James Dougherty;  
 A bill (H. R. 8835) granting an increase of pension to Charles H. Jackson;  
 A bill (H. R. 8836) granting an increase of pension to Benjamin Pitman;  
 A bill (H. R. 8849) granting a pension to James S. Lauderdale;  
 A bill (H. R. 8863) granting an increase of pension to Edward O'Malley;  
 A bill (H. R. 8922) granting a pension to Martha E. Nolen;  
 A bill (H. R. 8924) granting a pension to Georgia A. Whitehead;  
 A bill (H. R. 8925) granting an increase of pension to John Weaver;  
 A bill (H. R. 8966) granting an increase of pension to James M. Fink;  
 A bill (H. R. 8970) granting an increase of pension to Charles B. Hart;  
 A bill (H. R. 8984) granting an increase of pension to John I. Rundberg;  
 A bill (H. R. 8991) granting an increase of pension to William E. Mattison;  
 A bill (H. R. 8992) granting an increase of pension to William C. Davis;  
 A bill (H. R. 8998) granting an increase of pension to Henry L. Beach;  
 A bill (H. R. 9024) granting an increase of pension to Jacob Laird;  
 A bill (H. R. 9035) granting an increase of pension to Joseph Brannen;  
 A bill (H. R. 9037) granting a pension to Alice W. Clarke;  
 A bill (H. R. 9060) granting an increase of pension to John Connors;  
 A bill (H. R. 9061) granting a pension to Nettie A. Buell;  
 A bill (H. R. 9064) granting an increase of pension to Edwin Tidd;  
 A bill (H. R. 9125) granting an increase of pension to William S. King;  
 A bill (H. R. 9127) granting a pension to Moses Schuman;  
 A bill (H. R. 9256) granting an increase of pension to Enoch Stahler;  
 A bill (H. R. 9273) granting an increase of pension to James H. Sackett;  
 A bill (H. R. 9376) granting an increase of pension to Martin Renthler;  
 A bill (H. R. 9398) granting a pension to John Lindsey;  
 A bill (H. R. 9421) granting an increase of pension to Thomas P. Marshall;  
 A bill (H. R. 9426) granting an increase of pension to William S. Campbell;  
 A bill (H. R. 9587) granting an increase of pension to Bartlett S. Haggart;  
 A bill (H. R. 9610) granting an increase of pension to Frederick Halling;  
 A bill (H. R. 9633) granting a pension to Margaret H. Booth;  
 A bill (H. R. 9640) to amend an act granting to the Keokuk and Hamilton Water Power Company right to construct and maintain a dam, etc., approved February 8, 1901;  
 A bill (H. R. 9683) granting a pension to Henry Austin;  
 A bill (H. R. 9695) granting an increase of pension to Frank M. Spears;  
 A bill (H. R. 9710) granting an increase of pension to Henry Frazier;  
 A bill (H. R. 9739) granting a pension to Lizzie M. Worster;  
 A bill (H. R. 9753) granting an increase of pension to Sarah J. Loomis;  
 A bill (H. R. 9778) granting an increase of pension to Lauriston W. Adkins;  
 A bill (H. R. 9790) granting a pension to Ada L. Carpenter;  
 A bill (H. R. 9791) granting a pension to Abram Claypool;  
 A bill (H. R. 9835) granting a pension to Maggie Fitzpatrick;  
 A bill (H. R. 9903) granting an increase of pension to George W. Harlan;  
 A bill (H. R. 9921) granting a pension to Virginia Boyd;  
 A bill (H. R. 9980) granting an increase of pension to Edwin A. Haradon;  
 A bill (H. R. 9988) granting an increase of pension to William Ellis;  
 A bill (H. R. 9999) granting an increase of pension to William Edgar;  
 A bill (H. R. 10046) granting an increase of pension to Thomas J. Campton;  
 A bill (H. R. 10068) granting a pension to James G. Sains;

A bill (H. R. 10136) authorizing bail in criminal cases upon appeal in the courts of Indian Territory;  
 A bill (H. R. 10180) granting an increase of pension to William E. McDowell;  
 A bill (H. R. 10192) granting a pension to Martha Mullins;  
 A bill (H. R. 10194) granting an increase of pension to Marion Long;  
 A bill (H. R. 10267) granting a pension to Florence R. Russell;  
 A bill (H. R. 10268) granting an increase of pension to Margaret E. Keller;  
 A bill (H. R. 10373) granting an increase of pension to Sarah J. Shell;  
 A bill (H. R. 10580) granting an increase of pension to Joseph Longberry;  
 A bill (H. R. 10640) granting an increase of pension to Horace E. Wood;  
 A bill (H. R. 10648) granting an increase of pension to Agnes Shearer;  
 A bill (H. R. 10682) granting an increase of pension to Marion Arnold;  
 A bill (H. R. 10694) granting an increase of pension to Alderson T. Keen;  
 A bill (H. R. 10700) granting a pension to Ella D. Madden;  
 A bill (H. R. 10706) granting an increase of pension to Alfred J. West;  
 A bill (H. R. 10741) granting a pension to Mary Tate;  
 A bill (H. R. 10748) granting an increase of pension to Kate Ridgeway;  
 A bill (H. R. 10794) granting an increase of pension to Moses Hurlbut;  
 A bill (H. R. 10850) granting an increase of pension to Adaline L. Power;  
 A bill (H. R. 10904) granting an increase of pension to Edson H. Crawford;  
 A bill (H. R. 10968) granting a pension to Marceline P. Hamilton;  
 A bill (H. R. 10991) granting an increase of pension to Frances C. McFarland;  
 A bill (H. R. 11021) granting an increase of pension to Joseph Weemes;  
 A bill (H. R. 11052) granting an increase of pension to Mary Eaton Livingston;  
 A bill (H. R. 11076) granting an increase of pension to Elvira Miller;  
 A bill (H. R. 11113) granting an increase of pension to Silas Soules;  
 A bill (H. R. 11194) granting an increase of pension to Frank S. Nickerson;  
 A bill (H. R. 11227) granting an increase of pension to George W. Walls;  
 A bill (H. R. 11310) granting an increase of pension to John W. Swisher;  
 A bill (H. R. 11319) granting an increase of pension to Mary C. Arnold;  
 A bill (H. R. 11343) granting an increase of pension to Matthew S. Priest;  
 A bill (H. R. 11345) granting a pension to Joseph H. Huie;  
 A bill (H. R. 11413) granting an increase of pension to Jasper F. Morton;  
 A bill (H. R. 11556) granting an increase of pension to Edward M. Tappen; and  
 A joint resolution (H. J. Res. 106) amending public resolution No. 8, Fifty-sixth Congress, second session, approved February 3, 1901, "providing for the printing annually of the Report on Field Operations of the Division of Soils, Department of Agriculture."

The foregoing pension bills were subsequently read twice by their titles, and referred to the Committee on Pensions.

#### REPORT ON KANSAS CITY (MO.) IMPROVEMENT.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 8th instant, the reports of the board for river improvement and harbor limits at Kansas City, Mo.; which, on motion of Mr. COCKRELL, was ordered to lie on the table, and to be printed, together with the maps and illustrations.

#### FRENCH SPOILIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Polly*, John Perkins, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of



fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Redress*, John Crozier, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Nathaniel*, David Young, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Nancy*, Thomas Haddaway, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Leonard*, Samuel C. Hills, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Venus*, Benjamin Hutchings, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Eliza*, Daniel Seymour, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel sloop *Cato*, William Wyman, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

#### REPORTS OF LIBRARIAN OF CONGRESS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution (S. R. 37) providing for the editions to be printed of the annual and special reports of the Librarian of Congress, which was, in line 6, to strike out all after the word "cloth" down to and including the word "and" in line 9.

Mr. PLATT of New York. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

#### PETITIONS AND MEMORIALS.

Mr. COCKRELL presented a petition of McCullough Post, No. 44, Department of Missouri, Grand Army of the Republic, of Milan, Mo., to accompany the bill (S. 3458) granting pensions to certain soldiers and sailors who served in the war of the rebellion and their widows; which was referred to the Committee on Pensions.

He also presented a petition of Colonel Jacob Smith Post, No. 72, Department of Missouri, Grand Army of the Republic, of Trenton, Mo., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a memorial of sundry citizens of St. Charles County, Mo., remonstrating against the enactment of legislation imposing a tax on pure and compound wines; which was referred to the Committee on Finance.

He also presented the petition of A. J. McFarland, of Kansas City, Mo., and the petition of S. R. Crockett, of South McAlester, Ind. T., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MITCHELL presented sundry papers to accompany the bill (S. 4374) granting a pension to Mary Lansing Catlin; which were referred to the Committee on Pensions.

Mr. PROCTOR presented a petition of the Woman's Christian Temperance Union of Enosburg Falls, Vt., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. CULLOM presented memorials of sundry citizens of Chicago, Peoria, and Evanston, all in the State of Illinois, remonstrating against the passage of the so-called anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Peoria and Evanston, in the State of Illinois, remonstrating against the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of the congregation of the Congregational Church of Chicago, Ill., and a petition of the congregation of the Christian Church of Chicago, Ill., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Presbyterian Church of East St. Louis, Ill., praying for the investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of L. H. Drury Post, No. 467, of Chicago; of Wilcox Post, No. 668, of Chicago; of Highland Post, No. 439, of Highland; of F. L. Rhoads Post, No. 586, of New Haven; of Marion Post, No. 319, of Marion, and of Samuel Walker Post, No. 205, of Mount Pulaski, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented memorials of sundry citizens of Joliet, Ill., remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Progressive Lodge, No. 440, of Rockford; of Lodge No. 121, of East St. Louis, and of Lodge No. 213, of Batavia, all of the International Association of Machinists, in the State of Illinois, praying that an appropriation be made to increase the capacity of the Naval Gun Factory at the Washington Navy-Yard, Washington, D. C.; which were referred to the Committee on Naval Affairs.

He also presented a petition of the Chicago Historical Society, of Chicago, Ill., praying for the enactment of legislation providing for the preservation and use of the U. S. frigate *Constitution*; which was referred to the Committee on Naval Affairs.

Mr. LODGE presented a petition of 109 citizens of Springfield, Mass., praying that an appropriation be made for the support of the Columbia Polytechnic Institution for the Blind of the District of Columbia; which was referred to the Committee on Appropriations.

Mr. BURROWS presented a petition of Local Union No. 24, Cigar Makers' International Union, of Muskegon, Mich., and a petition of Local Union No. 330, Cigar Makers' International Union, of Alpena, Mich., praying for the enactment of legislation to amend section 3394 of the Revised Statutes, relating to tobacco; which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of Elk Rapids, Mich., and a petition of sundry citizens of Grand Rapids, Mich., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Ladies of the Maccabees, of Port Huron, Mich., praying for the passage of the so-called post-check bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of sundry citizens of Marshall, Mich., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Board of Trade of South Haven, Mich., and a petition of the Business Men's Club, of Plymouth, Mich., praying for the passage of the so-called Brownlow good-roads bill; which were referred to the Committee on Agriculture and Forestry.

Mr. PLATT of New York presented petitions of sundry citizens of New York City, Brooklyn, and Poughkeepsie, all in the State of New York, and of sundry citizens of Providence, R. I., praying for the enactment of legislation granting lands in severalty to Indians who are not now in possession of lands in Northern California; which were referred to the Committee on Indian Affairs.

He also presented petitions of the congregation of the Grace Methodist Episcopal Church, of Hounsfield; of the congregation of the Presbyterian Church of Sacketts Harbor; of the congregation of the First Baptist Church of Oswego, and of F. E. Wood and 39 other citizens of West Winfield, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented memorials of J. F. Tapley Company, of New



York; of Cotrell & Leonard, of Albany; of the Harder Manufacturing Company, of Cobleskill; of the Business Men's Association of Newburg; of the Bausch Picture Frame and Molding Company, of Farmingdale; of the Babcock & Shannon Company, of Albany; of the Paragon Plaster Company, of Syracuse, and of the Penfield Milling Company, of Delhi, all in the State of New York, remonstrating against the enactment of legislation to amend the antitrust laws; which were referred to the Committee on the Judiciary.

Mr. GAMBLE presented the petition of J. H. Bridgman and 18 other citizens of Chamberlain, S. Dak., veterans of the civil war, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented the memorial of G. W. Frostenson and 7 other citizens of Volin, S. Dak., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. SCOTT presented a petition of Lodge No. 104, International Association of Machinists, of Huntington, W. Va., praying that an appropriation of \$2,000,000 be made to increase the capacity of the naval gun factory at the Washington Navy-Yard, Washington, D. C.; which was referred to the Committee on Naval Affairs.

He also presented sundry papers to accompany the bill (S. 765) for the relief of Christine M. Core, Ella Core Tabler, and Jane F. Martin, sole heirs of Andrew S. Core, deceased; which were referred to the Committee on Claims.

Mr. FOSTER of Washington presented sundry papers to accompany the bill (S. 3675) for the relief of Robert Frost; which were referred to the Committee on Claims.

He also presented sundry papers to accompany the bill (S. 2521) to detach certain counties from the United States judicial district of Washington and to create a new judicial district, to be called the southern district of Washington; which were referred to the Committee on the Judiciary.

Mr. MILLARD presented a petition of the Commercial Club, of Fremont, Nebr., praying for a reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a memorial of 29 citizens of Omaha, Nebr., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of St. Paul, Nebr., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which was ordered to lie on the table.

He also presented petitions of A. H. Thompson and 17 other citizens of University Place, of Rev. L. C. Lemon and 35 other citizens of University Place, of J. Forbes and 28 other citizens of University Place, and of C. E. Newell and 25 other citizens of University Place, all in the State of Nebraska, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. HOPKINS presented petitions of Post No. 269, of Clay City; of Abraham Lincoln Post, No. 91, of Chicago; of Miller Post, No. 453, of Hampshire; of Marion Post, No. 319, of Marion; of A. W. Weber Post, No. 421, of Pawnee; of T. S. Terry Post, No. 463, of Shabbona; of Culver Post, No. 512, of Whitehall; of Wilcox Post, No. 668, of Chicago, and of L. H. Drury Post, No. 467, of Chicago, all in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Addison, River Forest, Chicago, Rockford, Shelbyville, Rochelle, Port Byron, Moline, and Polo, all in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Paris, Belvidere, De Kalb, Toledo, New Athens, Kankakee, Marshall, Danville, Chrisman, Watseka, Bement, Kansas, and Casey, all in the State of Illinois, praying for the passage of the so-called Brownlow good-roads bill; which were referred to the Committee on Agriculture and Forestry.

He also presented memorials of sundry citizens of Streator and Peoria, in the State of Illinois, remonstrating against the passage of the so-called pure-food bill; which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Joliet and Centralia, in the State of Illinois, remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. HANSBROUGH presented a petition of sundry citizens of Starkweather, N. Dak., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented the petition of Rev. W. H. Getch-

ell, of Lakeport, N. H., and the petition of B. Frank Leeds, of Groton, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Laconia, N. H., praying for the enactment of legislation to prohibit the use of internal-revenue tax-receipt stamps by liquor dealers unless the applicant presents a license from his State, etc.; which was referred to the Committee on Finance.

He also presented a petition of the Columbia Heights Citizens' Association, of Washington, D. C., praying for the enactment of legislation providing a permanent and businesslike settlement of the current District finances; which was referred to the Committee on the District of Columbia.

Mr. HOAR presented a petition of the Drysalters Club of New England, praying for the ratification of a treaty of arbitration between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

He also presented petitions of George C. Strong Post, No. 166, of East Hampton; of Timothy Ingraham Post, No. 121, of Hyde Park; of Huntington Frothingham Wolcott Post, No. 102, of Milton; of A. St. John Chambre Post, No. 72, of Stoughton; of Major George L. Stearns Post, No. 149, of Charlestown; of Theo. Parkman Post, No. 204, of Centerville; of Union Post, No. 50, of Peabody; of Franklin Post, No. 60, of Franklin, and of Friederich Hecker Post, No. 21, of Boston, all of the Department of Massachusetts, Grand Army of the Republic, in the State of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of Fox River District, No. 23, Independent Order of Good Templars, of Black Creek; of Bee Hive Lodge, No. 271, Independent Order of Good Templars, of Black Creek; of the Methodist Episcopal Sunday School of Black Creek; of Evening Star Lodge, No. 294, Independent Order of Good Templars, of Pardeeville; of Lodge No. 509, of Coloma; of the Cascade Lodge, of River Falls, and of Marshfield Lodge, No. 257, of Wood County, all of the Independent Order of Good Templars, in the State of Wisconsin; of the Christian Endeavor Union of Chicago, Ill., and of the Dorchester Highlands Methodist Episcopal Church, of Boston, Mass., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. WARREN presented a petition of Custer Post, No. 1, Department of Wyoming, Grand Army of the Republic, of Laramie, Wyo., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 4310) for the relief of the estate of Hugh Davis, deceased, of Fayette County, Tenn.; the bill (S. 3746) for the relief of the Salem Baptist Church, of Clarke County, Va.; the bill (S. 3961) for the relief of D. Froneberger for himself and as surviving partner of the firm of D. & C. Froneberger, of Knox County, Tenn.; the bill (S. 3818) for the relief of the estate of Lucy J. Boyle, deceased, of West Feliciana Parish, La.; the bill (S. 3926) for the relief of James Goodwin, of East Baton Rouge Parish, La.; the bill (S. 3821) for the relief of Joseph Moncla, of Avoyelles Parish, La.; the bill (S. 3814) for the relief of the estate of Raphael Segura, deceased, of Iberia Parish, La., and the bill (S. 3808) for the relief of the heirs of George O. Ragland, deceased, of Madison County, Ala.; which were referred to the Committee on Claims.

Mr. MONEY presented a petition of the Pastors' Association of Tupelo, Miss., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which was ordered to lie on the table.

Mr. FRYE presented a petition of Charles Keizer Post, No. 135, Department of Maine, Grand Army of the Republic, of Waldoboro, Me., and a petition of the Department of the Potomac, Grand Army of the Republic, of Washington, D. C., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented resolutions adopted by the legislature of Massachusetts, in favor of legislation providing for retired list and pensions in the Life-Saving Service; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Commonwealth of Massachusetts, in the year 1904. Resolutions in support of a bill pending in the Congress of the United States providing for a retired list and pensions in the Life-Saving Service.

Whereas there is pending in Congress a bill "to promote the efficiency of the Life-Saving Service," which provides for a retired list and pensions for officers and enlisted men of the Life-Saving Service, and for pensions to their widows and minor children; and

Whereas this bill has been recommended by the Secretary of the Treasury, and has for its object the just, well-earned reward of faithful and meritorious service: Therefore, be it

Resolved, That the general court favors the above-mentioned bill, and requests the Senators and Representatives in Congress from Massachusetts to vote for the measure.



*Resolved*, That a copy of these resolutions be sent to each Member of Congress from the Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, February 8, 1904.

Adopted. Sent up for concurrence.

JAMES W. KIMBALL, Clerk.

SENATE, February 8, 1904.

Adopted in concurrence.

HENRY D. COOLIDGE, Clerk.

A true copy.

Attest:

JAMES W. KIMBALL,  
Clerk of the House of Representatives.

#### AMERICAN ANTI-SALOON LEAGUE.

Mr. GALLINGER. I present the report of the legislative department of the American Anti-Saloon League for the year 1903. I move that the report be printed as a document.

The motion was agreed to.

#### ROSEBUD INDIAN RESERVATION, S. DAK.

Mr. COCKRELL. I present a communication from S. M. Brosius, agent of the Indian Rights Association, in regard to House bill 10148, relative to the proposed sale of 416,000 acres of lands of the Rosebud Indians of South Dakota, which is now pending before the Committee on Indian Affairs. I move that the communication be printed as a document, and I call the attention of the members of the Committee on Indian Affairs to it.

The motion was agreed to.

#### URGENT DEFICIENCY APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10654) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 4, 12, 14, 16, 17, 19, 21, 23, 28, 29, 50, 55, 56, 57, 58, 60, and 74.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 5, 6, 7, 8, 9, 11, 13, 15, 18, 20, 21, 22, 23, 27, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 48, 49, 51, 52, 53, 54, 59, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, and 73, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In line 9 of said amendment strike out the word "July" and insert in lieu thereof the word "November;" and the Senate agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 10, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In line 6 of said amendment strike out the word "for" where it occurs the second time and insert in lieu thereof the word "or;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$80,000;" and the Senate agree to the same.

EUGENE HALE,

W. B. ALLISON,

H. M. TELLER,

Managers on the part of the Senate.

J. A. HEMENWAY,

H. C. VAN VOORHIS,

L. F. LIVINGSTON,

Managers on the part of the House.

The report was agreed to.

#### REPORTS OF COMMITTEES.

Mr. PROCTOR. I am directed by the Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 11825) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905, to report it with amendments, and I submit a report thereon. I give notice that I shall ask the Senate to take up the bill for consideration immediately after the routine business to-morrow morning.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 4066) for the relief of Leonard I. Brownson, reported it without amendment, and submitted a report thereon.

Mr. ANKENY, from the Committee on Forest Reservations and the Protection of Game, to whom was referred the bill (S. 342) for the improvement of the Mount Rainier National Park, in the State of Washington, reported it with an amendment, and submitted a report thereon.

Mr. BARD, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 11128) to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 387) to ratify an agreement with the Indians of the Devils Lake Reservation, in North Dakota, and making appropriation to carry the same into effect, reported adversely thereon, and the bill was indefinitely postponed.

Mr. HANSBROUGH, from the Committee on the Library, to whom was referred the joint resolution (S. R. 12) for the erection of a monument to the memory of Dorothea Lynde Dix, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3244) to incorporate the American Academy in Rome, reported it with amendments, and submitted a report thereon.

Mr. SCOTT, from the Committee on Mines and Mining, to whom was referred the bill (S. 271) to establish mining experiment stations, to aid in the development of the mineral resources of the United States, and for other purposes, reported it with amendments, and submitted a report thereon.

#### COURT OF CLAIMS DIGEST.

Mr. PLATT of New York. On behalf of the Committee on Printing I call up the joint resolution (S. R. 41) to provide for the printing of a digest of the decisions of the Court of Claims, together with the rules of practice of and the statutes relating to that court.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

Mr. PLATT of New York. The Senator from Wyoming [Mr. WARREN] will offer amendments.

Mr. WARREN. I move the amendments to the joint resolution which I send to the desk.

The PRESIDENT pro tempore. The amendments will be stated in their order.

The SECRETARY. On page 1, line 3, after the word "printed" insert the words "as a public document."

The amendment was agreed to.

The SECRETARY. On page 2, line 2, strike out all after the word "Maupin" and insert:

who shall edit and prepare the same for the printer, and read the proofs, and who shall receive in full compensation for said work and services the sum of \$2,500, which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated, and shall be payable when said work shall have been printed: *Provided*, That the said work shall not be printed until the Court of Claims shall certify that the work as edited and prepared is satisfactory to that court: *And provided further*, That upon said payment the manuscript and work shall become the property of the United States.

Mr. HALE. That is a good amendment.

The amendment was agreed to.

Mr. COCKRELL. Now let the joint resolution be read as amended.

The PRESIDENT pro tempore. The joint resolution as amended will be read.

The Secretary read as follows:

*Resolved, etc.*, That there be printed as a public document a digest of the decisions of the Court of Claims, including the statutes relating to and the rules of practice of that court, prepared by Chapman W. Maupin; that there be printed 500 copies for the use of the Treasury Department, 2,000 copies for the use of the Attorney-General, 250 copies for the use of the War Department, 250 copies for the use of the Navy Department, 1,000 copies for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 1,000 copies for public sale, the whole edition to be bound in sheep; said digest to be printed under the editorial supervision of Chapman W. Maupin, who shall edit and prepare the same for the printer, and read the proofs, and who shall receive in full compensation for said work and services the sum of \$2,500, which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated, and shall be payable when said work shall have been printed: *Provided*, That the said work shall not be printed until the Court of Claims shall certify that the work as edited and prepared is satisfactory to that court: *And provided further*, That upon said payment the manuscript and work shall become the property of the United States.

The PRESIDENT pro tempore. If there be no further amendment as in Committee of the Whole, the joint resolution will be reported to the Senate.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

#### CENSUS OF MANUFACTURES.

Mr. QUARLES. I am directed by the Committee on the Census, to whom was referred the bill (H. R. 11823) to authorize the Director of the Census to cooperate with the secretary of state of the State of Michigan and with officials of other States in taking the census of manufactures, to report it favorably without amendment, and I ask unanimous consent for its present consideration. I will state that it is substantially the same bill which was passed the other day by the Senate for a cooperation with the State of Michigan in its census, and the House having passed its own bill we think the better way, probably, is to pass that bill. I ask for the present consideration of the bill.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. QUARLES. I move that the bill (S. 4122) to direct the Director of the Census to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures, and

for other purposes, be recalled from the House of Representatives, so that it may be indefinitely postponed.

The motion was agreed to.

#### BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 4353) granting an increase of pension to Edward M. McCook; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MONEY introduced a bill (S. 4354) for the relief of the estate of Evan Cook, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 4355) for the relief of the Methodist Church of Kossuth, Miss.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. MARTIN introduced a bill (S. 4356) for the relief of Lieut. James M. Pickrell, United States Navy, retired; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4357) for the relief of the heirs of William Samuel Custis;

A bill (S. 4358) for the relief of Jacob Falwell;

A bill (S. 4359) for the relief of the heirs at law of Capt. John Lewis; and

A bill (S. 4360) for the relief of Robert M. Wilkinson, administrator of the estate of Samuel Marsh.

Mr. STEWART introduced a bill (S. 4361) to authorize the platting and sale of certain lands in the Fort Peck Indian Reservation, in Montana; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. GALLINGER introduced a bill (S. 4362) granting an increase of pension to Sarah A. McMurtrie; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 4363) granting an increase of pension to Eli Veazie; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GAMBLE introduced a bill (S. 4364) granting an increase of pension to Joshua McCormick; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. 4365) granting a pension to Louise A. King; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAY introduced a bill (S. 4366) granting a pension to Tenora Merrill Flake; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SMOOT introduced a bill (S. 4367) to establish a fish-hatching and fish station in the State of Utah; which was read twice by its title, and referred to the Committee on Fisheries.

Mr. HEYBURN introduced a bill (S. 4368) providing for the survey and subdivision of a portion of the Coeur d'Alene Indian Reservation in Idaho; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 4369) granting a pension to Hannah M. Lamberson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4370) granting an increase of pension to George A. Francis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 4371) granting a pension to Alison Clifton; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Alison Clifton, together with the affidavits of Dr. C. H. Fulbright, Joseph McMahan, Col. John F. McMahan, Thomas Hunt, and Joyner Gentry, and also certificate of discharge. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. McENERY introduced a bill (S. 4372) for the relief of H. Gibbes Morgan and other coowners of Cat Island, in the Gulf of Mexico; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 4373) for the relief of the estate of William R. Wimbish; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 4374) granting a pension to Mary Lansing Catlin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 4375) to amend section 24 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce;" which was read twice by its title, and referred to the Committee on Commerce.

Mr. CULLOM (by request) introduced a bill (S. 4376) raising

the rank of Lieut. Col. Joel T. Kirkman, on the retired list of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SIMMONS (for Mr. OVERMAN) introduced a bill (S. 4377) granting an increase of pension to Jane L. Fagg; which was read twice by its title, and referred to the Committee on Pensions.

#### SHIPPING REGULATIONS WITH PHILIPPINE ARCHIPELAGO.

Mr. CARMACK. I submit sundry amendments to Senate bill 2259, and I call the attention of the Senator from Massachusetts [Mr. LODGE] to the proposed amendments. I ask that they may be read.

The amendments were read, as follows:

Amendments intended to be proposed by Mr. CARMACK to the bill (S. 2259) to regulate shipping in trade between ports in the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes.

In section 1, line 3, strike out the word "four" and insert the word "nine."

In section 2, line 8, strike out the word "four" and insert the word "nine."

In section 3, line 15, after the word "archipelago," strike out everything to and including the word "archipelago" in line 17, so that the second sentence in said section shall begin with the beginning of line 18.

Strike out sections 4 and 5.

In section 6, line 15, strike out the word "four" and insert the word "nine."

That sections 6, 7, and 8 shall be renumbered, respectively, as sections 4, 5, and 6.

That the following section be added at the end of the bill:

"SEC. 7. That hereafter any duty or tax levied and collected upon the exportation of any article, the product of the Philippine Archipelago, shall be levied and collected whether such article be exported to the United States or to any other country, it being the policy of the United States to maintain 'the open door' in the said Philippine Archipelago. That all laws and parts of laws inconsistent with the provisions of this section are hereby repealed."

The PRESIDENT pro tempore. What reference does the Senator from Tennessee desire to have made?

Mr. CARMACK. Let the amendments lie on the table. The bill has already been reported.

The PRESIDENT pro tempore. The amendments will lie on the table.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. HOAR submitted an amendment providing for competitive examinations, under the direction of the Secretary of the Navy, to select candidates for the Naval Academy whenever any Senator or Representative entitled to designate a cadet for the Academy may make known his desire to have such an examination held, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. BURROWS submitted an amendment proposing to increase the salary of the captain of the watch, Weather Bureau, from \$1,000 to \$1,200, intended to be proposed by him to the agricultural appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HITT, Mr. ADAMS of Pennsylvania, and Mr. DINSMORE managers at the conference on the part of the House.

#### MISSISSIPPI RIVER DAM.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (H. R. 9308) permitting the building of a dam across the Mississippi River between the counties of Wright and Sherburne, in the State of Minnesota.

Mr. GALLINGER. I will not object to this bill, but after it has been disposed of I shall ask that the Calendar be proceeded with.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HALE. I move that the Senate insist on its amendments disagreed to by the House of Representatives and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. CULLOM, and Mr. TELLER were appointed.



## PAYMENT TO EX-QUEEN LILIUOKALANI.

The PRESIDENT pro tempore. The Chair lays before the Senate the Calendar of General Orders under Rule VIII. The Secretary will state the first case on the Calendar.

The bill (S. 1553) for payment to Liliuokalani, formerly Queen of the Kingdom of Hawaii, was announced as first in order.

Mr. PLATT of Connecticut. Let the bill go over.

The PRESIDENT pro tempore. Objection being made, it goes over.

## EUCLID PLACE AND ERIE STREET.

The bill (S. 2134) to connect Euclid place with Erie street was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ADULTERATION OF FOODS, ETC.

The bill (S. 198) for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for other purposes, was announced as next in order.

Mr. KEAN. What bill is that?

Mr. GALLINGER. The pure-food bill.

Mr. KEAN. Let that bill go over, Mr. President.

The PRESIDENT pro tempore. The bill will go over without prejudice.

Mr. HEYBURN. I should like to have the bill read at length, and then let it go over without losing its place.

The PRESIDENT pro tempore. Objection having been made, the bill has gone over, retaining its place.

Mr. HEYBURN. Very well.

## DISTRICT OF COLUMBIA HIGHWAY SYSTEM.

The joint resolution (S. R. 5) to enlarge the scope of an act entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," approved March 2, 1893, was considered as in Committee of the Whole. It provides that all the powers given to the Commissioners and others under the act entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," approved March 2, 1893, shall apply to and be capable of being exercised upon and through Beatty and Hawkins's addition to Georgetown, where it may be necessary to connect streets in parts of the District lying outside of cities, or to connect any street in the city with streets in the District of Columbia.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## DISTRICT WATER MAINS AND SERVICE SEWERS.

The bill (S. 2878) authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments, on page 3, in section 3, line 20, before the word "provided," to strike out "hereinbefore" and insert "herein;" on page 4, line 8, after the word "age," to insert "either a member of his family or in his employ;" in line 12, after the word "writing," to insert "under oath;" in line 17, after the word "age," to insert "as aforesaid;" and in line 19, before the word "successive," to strike out "two" and insert "three;" so as to make the section read:

SEC. 3. That the assessor of the District of Columbia shall give notices as herein provided of the levying of assessments for water mains and service sewers. Assessments shall be levied within sixty days after the completion of the main or service sewer, and the owner or owners affected by such assessments shall be notified that the same have been levied by a notice which shall be served upon the owner of the lot or parcel of land if he or she be a resident of the District of Columbia, and his or her residence be known. If the owner be a nonresident or his or her residence be unknown, the notice shall be served on his or her agent or tenant. The service of such notice, where the owner or his or her agent or tenant resides in the District of Columbia, shall be personal or by leaving the same with some person of suitable age, either a member of his family or in his employ, at the residence or place of business of such owner, agent, or tenant; and return of such service, stating the manner thereof, shall be made in writing under oath and filed in the office of the assessor of the District of Columbia. If there be no agent or tenant known to said assessor, and the owner or owners be not residents of the District of Columbia, or if the owner be a resident of the District of Columbia and can not be found therein, and no person of suitable age as aforesaid can be found at his or her residence or place of business, notice shall be given by advertisement once a week for three successive weeks in some daily newspaper published in said District, and in said publication of said notice each several piece of property shall be described in a separate paragraph, and the cost of such advertisement shall be added to the amount of said assessment and collected in the same manner that said assessment is collected.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## VERMONT AVENUE EXTENSION.

The bill (S. 2324) for the extension of Vermont avenue from Florida avenue to Howard University was considered as in Committee of the Whole.

Mr. COCKRELL. I should like to inquire about what is to be the cost of this proposed extension of Vermont avenue and whether there are many buildings that will have to be removed?

Mr. GALLINGER. The Senator from Idaho [Mr. DUBOIS] who reported the bill is perhaps more familiar with this matter than other Senators. I call his attention to the fact that the Senator from Missouri [Mr. COCKRELL] has asked if there are many buildings to be removed in consequence of this extension.

Mr. DUBOIS. I will say to the Senator from Missouri that there are a number of old negro shanties or shacks, but there are no buildings of any account at all to be removed in the event of the passage of this bill. It will be a very great improvement to have the buildings on the line of the proposed extension taken out of the way. The Senator from Florida [Mr. MALLORY] and I made a personal investigation of the matter, went over the whole ground; and I will say that, in our judgment, this is a very desirable improvement to be made.

Mr. GALLINGER. I will say to the Senator from Missouri that one-half the cost of this extension—and I personally made an inspection, and the improvement is a very necessary one—is to be borne by the abutting property owners, and that the aggregate cost to the District of Columbia and to the Government will be about \$68,000.

Mr. COCKRELL. I understand the Committee on the District of Columbia adheres to the rule about taking into consideration the benefits to be derived in making compensation for property taken.

Mr. GALLINGER. We do absolutely in all cases.

The PRESIDENT pro tempore. The amendments reported by the Committee on the District of Columbia will be stated.

The first amendment was, on page 2, line 8, after the word "provided," to strike out "such" and insert "an;" and in line 9, after the word "amount," to insert "not less than one-half;" so as to read:

That within sixty days after the passage of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute, in the supreme court of the District of Columbia, sitting as a district court, by petition particularly describing the lands to be taken, a proceeding in rem to condemn the land that may be necessary for the direct extension of Vermont avenue from Florida avenue, with a uniform width of 130 feet, to Brightwood avenue; thence, with the same width, in an easterly direction to Howard University or Sixth street, the north line of said extension between Sixth and Seventh streets being coincident with the north line of Howard avenue, in Howard University subdivision, the name of said Howard avenue being hereby changed to Vermont avenue; and of the amount found to be due and awarded as damages for and in respect of the land condemned for the extension of Vermont avenue to Howard University, as herein provided, an amount not less than one-half thereof shall be assessed by the jury hereinafter provided as benefits, and to the extent of such benefits, on any or all pieces or parcels of land which will be benefited by the extension of said Vermont avenue as said jury may find said pieces or parcels of land will be benefited; and in determining the amount to be assessed against said pieces or parcels of land the jury shall take into consideration the respective situations of such pieces or parcels of land and the benefits they may severally receive from the extension of Vermont avenue as aforesaid.

The amendment was agreed to.

The next amendment was, in line 24, page 2, after the word "grounds," to insert:

Provided, That notwithstanding anything contained in the aforesaid section 8 of said act the assessment by the jury for benefits for said opening shall be payable in five equal annual installments, with interest at the rate of 4 per cent per annum, from and after sixty days after the confirmation of the verdict and award, and in all cases of payments the accounting officers shall take into account the assessment for benefits and the award for damages, and shall pay only such part of said award in respect of any lot as may be in excess of the assessment for benefits against the part of such lot not taken, and there shall be credited on said assessment the amount of said award not in excess of said assessment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## GEORGE F. SCHILD.

The bill (S. 905) for the relief of George F. Schild was announced as next in order.

Mr. LODGE. Let that go over, Mr. President.

The PRESIDENT pro tempore. The bill goes over.

## READJUSTMENT OF ARMY OFFICERS' ACCOUNTS.

The bill (S. 1274) to authorize the readjustment of accounts of army officers in certain cases, and for other purposes, was announced as next in order.

Mr. LODGE. Mr. President, I think that bill had better go over.

Mr. PLATT of Connecticut. If Senators will consent, before that bill goes over, I wish to suggest that there ought to be some

information with regard to the amount which the bill calls for. I hope that, if it comes over, when it again comes up some information will be furnished to the Senate of the amount which would be called for under the bill.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

G. W. RATLEFF.

The bill (S. 3127) for the relief of G. W. Ratleff was announced as next in order.

Mr. ALDRICH. Let that bill go over, Mr. President.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

HENRY O. BASSETT.

The bill (S. 623) for the relief of Henry O. Bassett, heir of Ope-man Bassett, deceased, was announced as next in order.

Mr. COCKRELL. Is there a report in that case, Mr. President? The PRESIDENT pro tempore. There is.

Mr. ALLISON. I ask that the bill may go over, Mr. President. The PRESIDENT pro tempore. The bill will go over.

A. M. SHORT.

The bill (S. 3199) for the relief of A. M. Short was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to A. M. Short, of Stillwater, Minn., \$100.

Mr. COCKRELL. Let the report be read in that case, Mr. President.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. CLAPP January 20, 1904, as follows:

The Committee on Claims, having considered the bill (S. 3199) for the relief of A. M. Short, makes favorable report thereon and recommends its passage without amendment.

#### MEMORANDUM.

The above claim arose out of the fact that Capt. A. M. Short, master and owner of a steamer on the upper Mississippi, was fined for overrunning the period covered by inspection.

Copies of the letters of John D. Sloane, inspector, and John M. Lenihan, surveyor, are hereto appended.

Four hundred dollars of the fine was remitted before the fine was covered into the Treasury, but \$100 having been covered into the Treasury could not be refunded by remission, but only by appropriation, for which purpose this bill is introduced.

#### STEAMBOAT-INSPECTION SERVICE, OFFICE OF SUPERVISING INSPECTOR, FIFTH DISTRICT, Dubuque, Iowa, December 11, 1903.

DEAR SIR: I am in receipt of your favor of December 7, 1903, asking me to use my efforts in obtaining a remission of the penalty imposed on Capt. A. M. Short for violation of the law in navigating the steamer *Wauvetta* after the expiration of her inspection certificate.

In reply I wish to assure you that I would be pleased to serve you in aiding Captain Short, but I have no authority, officially, in the matter, it having gone out of my hands when I referred it to the surveyor of customs at this port, Mr. John M. Lenihan, at which time I recommended leniency in Captain Short's case, and the inclosed copy of Mr. Lenihan's report to the Department will show that he, in turn, recommended that the fine be remitted.

However, when I am in Washington, D. C., next January, I shall be pleased to do what I can in Captain Short's behalf.

It would seem to me that if you would take the matter up with one of the United States Senators, and have him intercede with the Secretary, that he could be influenced to remit the penalty. And in that case I would be glad to call, with one of the Senators, upon the Secretary and state the circumstances to him.

Trusting that this will be satisfactory to you and that I may have an opportunity of assisting you in this way, I have the honor to remain,

Very sincerely, yours,

JOHN D. SLOANE.

Hon. E. W. DURANT, Stillwater, Minn.

#### OFFICE OF THE SURVEYOR OF CUSTOMS, Port of Dubuque, Iowa, October 20, 1903.

SIR: I have the honor to report penalty of \$500 imposed on Capt. A. M. Short for violation of the law, by the steamer *Wauvetta*, in navigating from September 20, 1903, until October 8, 1903, after the expiration of her certificate of inspection. The said fine or penalty has been paid and deposited with assistant treasurer of the United States, Chicago, Ill.

I herewith inclose report of same made by Mr. John D. Sloane, supervising inspector, fifth district, and also sworn statements of Capt. A. M. Short and four other persons who were on board of the vessels during the period of the storm and high wind prevailing between September 20 and October 8, 1903.

Considering the difficulties under which Capt. A. M. Short was placed in trying to save the raft of lumber said vessels were towing, during the storm and prevailing high winds on the Mississippi River at the time stated, in my opinion he was unavoidably detained through bad weather from arriving at this port in time for inspection.

The said Capt. A. M. Short has been navigating the Mississippi River on vessels as master and pilot thirty years, and has never been known to violate the navigation laws during all that period.

I therefore recommend that the penalty, viz, \$500, be remitted.

Respectfully submitted,

JOHN M. LENIHAN, Surveyor.

The SECRETARY OF THE TREASURY,  
Washington, D. C.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DARWIN S. HALL.

The bill (S. 721) for the relief of Darwin S. Hall was considered as in Committee of the Whole. It proposes to relieve Darwin S.

Hall from the obligation to refund the sum of \$111, being the difference claimed to be due from him in his account as commissioner, Chippewa Commission in Minnesota, and special disbursing agent from October 10, 1897, to July 31, 1900.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JEAN LOUIS LEGARE.

The bill (S. 735) for the relief of Jean Louis Legare, of the Dominion of Canada, was considered as in Committee of the Whole. Mr. ALLISON and Mr. ALDRICH. Let the report be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary proceeded to read the report submitted by Mr. CLAPP on the 20th ultimo.

Mr. HOAR. I suggest that the rest of the report be printed in the RECORD, without being read.

The PRESIDING OFFICER (Mr. PERKINS in the chair). It is suggested that the further reading of the report be dispensed with. Is there objection?

Mr. HOAR. Let the whole report be printed in the RECORD.

The PRESIDING OFFICER. That the further reading be dispensed with and that all of the report be printed in the RECORD. Is there objection? The Chair hears none.

The report is as follows:

The Committee on Claims, having considered the accompanying bill (S. 735), recommends that it be amended by striking out the words "thirteen thousand four hundred and twelve," where they occur in the third line of said bill, and by inserting in lieu thereof the words "eight thousand;" and as amended your committee reports the said bill favorably and recommends its passage.

The foregoing bill as to its present amount, subject to the above proposed amendment, passed the Senate in the Fifty-seventh Congress, and was included in miscellaneous cases in the omnibus bill, which was favorably reported at the same session.

The committee submits the following as the report accompanying the bill in the Fifty-seventh Congress:

[Senate Report No. 634, Fifty-seventh Congress, first session.]

The Committee on Claims, to whom was referred the bill (S. 1475) for the relief of Jean Louis Legare, of the Dominion of Canada, beg leave to submit the following report:

That the bill be amended by inserting "\$8,000" in lieu of "\$13,412," and, as so amended, report the bill favorably and recommend its passage.

The claim is for money expended and for services rendered by Legare in procuring the surrender of Sitting Bull and his band of Indians. After the battle of the Little Big Horn, in the year 1876, in which General Custer was killed, Sitting Bull and his band, being pursued by the army, escaped from the United States into the territory of Canada, stopping in the Wood Mountain region in the Northwest Territory of Canada. The Indians were a constant disturbance to the government of Canada, and were a menace to our own Government through their raids across the line between the two countries, and it was necessary for the United States to maintain a large number of troops on the frontier to protect its citizens from plunder and murder. During the years 1877 to and including 1881 frequent attempts were made to secure their surrender to the authorities of the United States. A commission was sent for that purpose in 1878, but the attempt was not successful; the Indians refused to come back.

In 1879 one Ellison was sent as the agent of Major Brotherton, United States Army, with provisions and presents, and he endeavored to induce the Indians to come back, but was unable to do so. In 1881 Major Crozier, of the mounted police of Canada, held a council, gave them presents, and tried to induce them to come back. His efforts extended over a period of three months, and a letter was sent to Major Crozier by Major Brotherton, United States Army, to be read to Sitting Bull. After receiving this letter Major Crozier gave a feast to the Indians and read the letter to them, but Sitting Bull and his band did not have faith in the mounted police and were afraid to come back to the United States.

In this condition of affairs Walter B. Jordan, then a merchant at Miles City, Mont., and now president of the First National Bank there, advised Maj. D. H. Brotherton, who was then in command at Fort Buford, to secure the services of Jean Louis Legare in connection with the return of Sitting Bull and his band. Mr. Jordan had known Legare for a number of years and he introduced Legare to Major Brotherton, assuring the latter that Legare was a man of influence with the Indians and thoroughly reliable. Being convinced that Legare was what Jordan represented him to be, Major Brotherton made an arrangement with him by which he was to exert his efforts to secure the return of the Indians, and he assured Legare that the United States would compensate him well for his services and expenses in that connection.

Legare was then, and for some time previously had been, a trader and freighter, living in a remote region of northwest Canada, and necessarily unfamiliar with the laws of the United States. He had no knowledge or intimation that Major Brotherton, of the Army, was without power to bind his Government by a contract, and the services that he rendered and the money he expended thereafter were in the belief that he had a contract with the United States which would assure reimbursement and compensation. The services and expenditures of Legare are as follows:

(1) 1881, April 20. Provisions, tobacco, and pipes furnished Sitting Bull and followers.....	\$350.00
(2) Transportation and board for Indians, from Wood Mountain, Canada, to Fort Buford, Dak., 150 miles, at \$32 per Indian:	
1881, April 23, 16 Indians.....	512.00
1881, May 22, 32 Indians.....	1,024.00
1881, July 11, 200 Indians.....	6,400.00
(3) Transportation and board of Indians from Fort Buford, Dak., to Wood Mountain, Canada, 150 miles, at \$32 per Indian:	
1881, May 4, 4 Indians.....	128.00
1881, June 1, 3 Indians.....	96.00
1881, July 19, 1 Indian.....	32.00
(4) Provisions furnished 12 lodges of Indians, about 50 or 60 persons, from April 23 to July 2, 1881.....	930.00
(5) 1881, July 2. Provisions and tobacco furnished Sitting Bull and followers, 300 Indians.....	225.00
(6) 1881, July 3. Twelve sacks of flour furnished Sitting Bull and three headmen, at \$12.....	144.00
(7) 1881, July 11. One revolver to Sitting Bull.....	15.00
(8) 1881, July 11. One looking-glass for Sitting Bull.....	25.00



(9) 1881, July 11. To one lodge	\$12.00
(10) 1882, April 12. Board and clothing for one Indian, nine months, at \$40	360.00
(11) 1882, April 20. One year's services	3,000.00
(12) 1882, April 22. One pony, turned over to scout	45.00
(13) Use of pony from August 25, 1881, to April 22, 1882	54.00
Total amount claimed	13,412.00

Legare, at great bodily peril, entreated the Indians to return to the United States, and as a means of reaching their judgment he made presents to many of them and feasts for all of them. These things he did because he knew the Indian character and knew that by these methods only could he secure favorable action on their part. He fed 50 or 60 of them from April 26 to July 2, 1881; furnished provisions and tobacco for the band at various times, and transported and furnished them with food from Wood Mountain, Canada, to Fort Buford, Dak. T., a distance of 150 miles through a wild and barren country. He not only transported the Indians in person, but he also carried their tepees, poles, and blankets. He was obliged to carry all the provisions, so as to provide them with everything they required on the way; also to carry wood and, for a part of the way, water.

In transporting these Indians Legare made several journeys, taking a portion of the band each time, and after arriving at Fort Buford and remaining there for a short time returning to Wood Mountain, taking with him a small number of the Indians to verify his statement that those who surrendered themselves and came over the border were well treated by the United States Government. That the services and expenditures of Legare were appreciated by the officers of the Army is shown by the following correspondence:

[Copy telegram.]

PORT BUFORD, DAK. T., May 29, 1881.

I have considered it best to retain Mathey's troop, as sending it away would reduce the garrison to 186 present for duty. I expect more Indians in very soon—perhaps the greater portion of those at Woody Mountain, and it may be some from Sitting Bull at Lake Qu'Appelle. There [are?] at the two places about sixty lodges, in most cases, I am informed, two families to a lodge, and in all about 300 men, women, and children.

Mr. Legare, a trader at Woody Mountain, who has brought in his last two trips forty-eight Indians, came [brought?] in on the 28th instant thirty-two. These were sent with the others to Yates. I sent back with him two of those he brought in, after they had seen and talked with their friends here. Mr. Legare tells me that the fact of their friends have[ing] gone below peacefully, and were so well treated while here, will, he thinks, produce a movement at once of the Indians at Woody Mountain in this direction to surrender, as they are starving where they are, and also that there is now a strong probability that Sitting Bull himself, finding so many of his adherents leaving him, even his own daughter, will have to come in.

I have known Mr. Legare since last summer; he is well known, reliable, and I have every reason, from the way things look now, to believe his impression will be realized. He has been here quite a number of times, but usually very reticent on the subject of Indians coming [coming?] in, but is now outspoken, and seems thoroughly convinced that all will come in. With this in view, I thought best to retain Mathey's troop, as I presume all that come in will be shipped to Yates.

The Indians shipped the other day embarked cheerfully and willingly, to all appearance. I sent with them Allison and Running Antelope. Mr. Legare left here yesterday with his train for Woody Mountain; said he would return in about two weeks with all the Indians who desired to come in. He brings these Indians in, hauling their plunder on his carts, and has so far fed them on the way. Can not he be reimbursed in some way?

D. H. BROTHERTON,  
Major, Seventh Infantry, Commanding.

Gen. A. H. TERRY,  
Commanding Department of Dakota, St. Paul, Minn.

[Telegram.]

HEADQUARTERS DEPARTMENT OF DAKOTA,  
Fort Snelling, Minn., June 6, 1881.

COMMANDING OFFICER, Fort Buford:

Department commander regrets he has no funds applicable or available for paying Mr. Legare for bringing Indians into Fort Buford to surrender and feeding them en route.

BRECK, Assistant Adjutant-General.

Mr. Legare was not a man of large means, and he spent everything he had except a few dry goods in getting these Indians from Wood Mountain to Fort Buford. He has made repeated efforts through the War Department, the Court of Claims, and Congress to be compensated for his services and expenses, but he has never received a dollar from this Government in any way.

After failing to get anything through the War Department, he filed a petition in the Court of Claims. The testimony was taken, and the claim was so thoroughly established that no controversy was made as to the facts of his performing the services or to their value, but he was unsuccessful in his litigation for the reason that the court found that Major Brotherton had no authority to contract on behalf of the United States to pay Legare for services rendered or supplies furnished the Indians during their journey to Fort Buford, and the court held that the claim was not a legal demand against the United States cognizable in the Court of Claims for that reason, and it also held that most of the claim was barred by the statute of limitation at the time the suit was commenced, and therefore the petition was dismissed.

This case is No. 15713 in the Court of Claims, and the opinion of the court is reported in 24 Court of Claims, 513.

Since the dismissal of his claim by the Court of Claims Legare has been constantly endeavoring to obtain relief through Congressional action, and in the Fifty-first Congress the Committee on Indian Affairs of the House of Representatives reported favorably upon his claim, to the extent of \$9,000, but for some reason no bill has ever passed either House for his relief.

Realizing the great importance to both countries of the services rendered by Mr. Legare in thus insuring peace upon the border, the Canadian government, without any request from Legare, and without his knowledge, by act of Parliament voted him the sum of \$2,000 as a gratuity. The evidence shows that in expenditures and in services rendered there should be paid Legare \$13,412. Of course this is exclusive of interest for the more than twenty years which have elapsed since these things were done. In addition to the expense of transporting the supplies furnished the Indians from Wood Mountain to Fort Buford—a distance of 150 miles—Legare had to pay duties thereon, ranging from 5 to 40 per cent of their value, to the Canadian government.

The testimony of all the witnesses shows that Legare is a man of the highest integrity. Alexander R. MacDonell, in command of the northwest mounted police, stationed at Wood Mountain Post, testified in the case, in the Court of Claims, that he had known Legare for many years; knew of the services which

he had rendered the United States in returning Sitting Bull and his band, and when asked what he knew as to Legare's character, he said:

"Without exception, he is the most honest man I ever met. I do not think he is capable of doing a dishonest act."

In the judgment of your committee, payment of the amount claimed by Legare should be made without further delay, and it will be far from an adequate return for the saving of property and lives and the expenditures for military forces, which would have been made necessary if these Indians had remained in Canada, making forays across the border from time to time. We therefore recommend that the bill do pass for the sum of \$8,000.

The bill had been reported from the Committee on Claims with an amendment, in line 5, after the word "Treasury," to strike out the words "not otherwise appropriated;" so as to make the bill read:

*Be it enacted, etc.,* That the sum of \$13,412 be, and the same is hereby, appropriated, out of any money in the Treasury, for full compensation to Jean Louis Legare, of the Dominion of Canada, for services and money expended in bringing into the United States and procuring the surrender of Sitting Bull and his followers, under the direction of the War Department; and that the Secretary of the Treasury is hereby authorized and directed to make payment of the same.

The amendment was agreed to.

Mr. COCKRELL. The amendment recommended by the committee in the report does not appear in the bill, and I move to strike out "\$13,412" and insert "\$8,000," the amount they recommended.

The PRESIDING OFFICER. The Senator from Missouri offers an amendment, which will be stated.

The SECRETARY. In line 3, before the word "dollars," strike out "thirteen thousand four hundred and twelve" and insert "eight thousand."

The amendment was agreed to.

Mr. SPOONER. Who reported the bill?

Mr. GALLINGER. The Senator from Minnesota [Mr. CLAPP].

Mr. WARREN. The Senator from Minnesota [Mr. CLAPP]. He is not here.

The PRESIDING OFFICER. The junior Senator from Minnesota reported the bill.

Mr. PLATT of Connecticut. Mr. President, this bill has been before the Committee on Indian Affairs two or three times. I had some prejudice against it when it first came before the committee, but I have investigated it and I am satisfied that this man actually furnished these supplies at the request of an army officer for the purpose of getting Sitting Bull back into the United States. I gave up my opposition to it some time ago. I think it is better than a good many of the claims that we are passing.

Mr. COCKRELL. The case was also in the Court of Claims, where it was held, as a matter of course, that this army officer had no legal, technical right to make a contract that would bind the Government. But all the facts were set forth in the Court of Claims, and I am just like the Senator from Connecticut. I had very decided prejudices against it until I examined it, when I came to the conclusion that it is an equitable claim; that it ought to be paid; and I think it is a great mistake that it was not paid at the time.

Mr. SPOONER. When the Senator from Connecticut and the Senator from Missouri unite in saying that, I make no objection to the bill.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. SPOONER. I should like to inquire of the Senator from Connecticut why, if this is a correct bill, he is content that the amount shall be cut in two?

Mr. PLATT of Connecticut. I do not know that it ought to be.

Mr. COCKRELL. I did not understand the query of the Senator from Wisconsin.

Mr. SPOONER. If the Senators are satisfied that this amount—\$13,412—was expended in good faith, why should it be cut down?

Mr. COCKRELL. That was the rough estimate, and both committees which have passed upon it since, examining the case and having all of the evidence that was before the Court of Claims, have held that \$8,000 was a reasonable amount, and it has been so reported all the time. A similar bill passed the Senate heretofore.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES M. WILLBUR.

The bill (S. 1327) authorizing the Secretary of the Treasury to adjust and settle the account of James M. Willbur with the United States and to pay said Willbur such sum of money as he may be justly and equitably entitled to, was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to make settlement with James M. Willbur for excess in weight of material and excess in the superficial measurement of illuminating tiling, frames, and supports thereof, placed by Willbur in, on, or around the New York City post-office and court-house building beyond what he was required to furnish by his contract with the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.



## SOUTHERN RAILWAY LIGHTER NO. 10.

The bill (S. 964) to grant jurisdiction and authority to the Court of Claims in the case of Southern Railway Lighter No. 10, her cargoes, etc., was considered as in Committee of the Whole. It proposes that the claims of the owners of the lighter known as "Southern Railway Lighter No. 10," and cargoes, freight, and personal effects thereon, alleged to have been sunk, lost, or greatly damaged by collision with the United States army transport *Sumner*, in the harbor of Norfolk, Va., on or about the 17th day of March, 1900, be referred to the Court of Claims, with jurisdiction and authority to hear and determine the same to judgment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ESTATE OF BRIG. GEN. WAGER SWAYNE.

The bill (S. 2579) for the relief of the estate of Brig. Gen. Wager Swayne, in charge of the Bureau of Refugees, Freedmen, and Abandoned Lands, was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report in the case be read.

The Secretary read the report submitted by Mr. WARREN on the 20th ultimo, as follows:

The Committee on Claims, to whom was referred the bill (S. 2579) for the relief of the estate of Brig. Gen. Wager Swayne, in charge of the Bureau of Refugees, Freedmen, and Abandoned Lands, having carefully considered the same, hereby report it back to the Senate and recommend its passage without amendment.

This bill does not involve the payment of any money to General Swayne's estate, but merely provides that his account be credited with the amount, \$4,000, now standing as a charge against him on the books of the Treasury Department.

The Treasury Department recommends the passage of this bill, as will be seen from the following letter signed by F. E. Rittman, Auditor for the War Department:

TREASURY DEPARTMENT,  
Washington, December 23, 1903.

SIR: I have the honor to transmit herewith letter of Senator FRANCIS E. WARREN, chairman of the Committee on Claims, United States Senate, requesting copies of certain papers and expression of opinion in the matter of Senate bill No. 2579, for the relief of the estate of Brig. Gen. Wager Swayne, and have to report as follows:

Late in July, 1865, General Swayne was ordered to Montgomery, Ala., to organize a branch of the Bureau of Refugees, Freedmen, and Abandoned Lands at that place. He had no funds on hand for that purpose, and arrangements were made for the transfer to him of \$4,000 from Capt. W. B. Armstrong at New Orleans, La. Captain Armstrong sent by express the \$4,000, together with a blank receipt prepared for signature of General Swayne. The package reached General Swayne August 9, 1865. He had as his disbursing officer one E. W. Norris, who signed as "Paymaster, U. S. A., disbursing officer," but he had, in fact, been mustered out of the military service July 31, 1865. The records of this office indicate that Norris received the package of money and on counting it found it \$5 short. On the same day Norris wrote to Captain Armstrong asking him to send \$5 in a letter, and the next day when he took the money to a bank for deposit the bank officers threw out four \$5 bills as counterfeit. These counterfeit bills Norris returned to Armstrong by express. There is no further record, except that on August 23 Norris sent Armstrong Swayne's receipt for the full \$4,000. This receipt is dated August 5, 1865, which is no doubt the day it was originally prepared in New Orleans.

The records of this office do not show that Norris or General Swayne ever rendered accounts showing the disposition of this money. While General Swayne signed the receipt given to Armstrong for \$4,000, the evidence indicates that he never actually received the money, but that Norris was intrusted with the accounting for it, which he never did. Effort to locate the bank in which Norris deposited the money has failed. It may be proper to add that in October, 1882, General Swayne was allowed over \$4,000 for arrears of pay due and no stoppage made of the \$4,000 charged on the books of the Department and which is the subject of the pending bill. The effect of the bill, if enacted, will be to credit General Swayne with the \$4,000 and thus remove the charge standing against him on the books of the Treasury Department. It will not involve the payment of this amount from the Treasury.

After consideration of the facts in this case, as disclosed by the records of this office, I am of the opinion that the proposed bill for the relief of General Swayne should be passed.

Copies of such papers as appear to be material in this matter are inclosed herewith.

Respectfully,

F. E. RITTMAN,  
Auditor.

The SECRETARY OF THE TREASURY.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## PRISCILLA R. BURNS.

The bill (S. 2888) for the relief of Priscilla R. Burns was announced as the next business on the Calendar.

Mr. PLATT of Connecticut. Let the bill go over, Mr. President.

The PRESIDING OFFICER. Objection being made, the bill will go over.

## JOHN W. GUMMO.

The bill (S. 1407) for the relief of John W. Gummo was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to John W. Gummo, late of Company F, Twelfth Regiment Pennsylvania Volunteer Cavalry, the sum of \$190, being the balance of bounty due him for services rendered the Government during the late war of the rebellion.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## HYLAND C. KIRK AND OTHERS.

The bill (S. 2233) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher, was announced as the next business in order on the Calendar.

Mr. ALLISON. Let the bill go over.

The PRESIDING OFFICER. Objection being made to the consideration of the bill under Rule VIII, it will go over without prejudice.

## NYE &amp; SCHNEIDER COMPANY.

The bill (S. 2516) for the relief of the Nye & Schneider Company was considered as in Committee of the Whole. It proposes to appropriate \$61.13 for the purpose of paying to Nye & Schneider Company, of Fremont, Nebr., an unpaid balance on bill rendered for fuel furnished for the purpose of heating the post-office building at Hastings, Nebr.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## LOSSES INCURRED BY ARMY OFFICERS AND ENLISTED MEN.

The bill (S. 114) to extend the provisions of the act of March 3, 1885, relative to officers and enlisted men of the United States Army was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, to insert at the end of the bill the words "and the hurricane in Porto Rico;" so as to make the bill read;

*Be it enacted, etc.,* That the provisions of the act March 3, 1885, relating to losses incurred by the officers and enlisted men of the United States Army, are hereby extended so as to include the officers, acting assistant surgeon, and enlisted men of the United States Army who were stationed at Galveston, Tex., during the cyclone of September 8, 1900, and the hurricane in Porto Rico.

The amendment was agreed to.

Mr. PLATT of Connecticut. I should like to ask the Senator from Missouri whether the statute referred to, that of 1885, is not now broad enough to include these officers and men?

Mr. COCKRELL. No; that is what the accounting officers say.

Mr. PLATT of Connecticut. I supposed it was.

Mr. COCKRELL. I should suppose it was, but they say not.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## REMOVAL OF STRUCTURES FROM INDIAN LANDS.

The bill (S. 3424) to authorize the removal of structures from Indian allotments in Minnesota was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report be read. It is very short.

Mr. PLATT of Connecticut. There is no necessity for the second section.

The PRESIDENT pro tempore. The report will be read. What does the Senator from Connecticut request?

Mr. PLATT of Connecticut. The bill might as well be amended by striking out the second section. That is the law anyway. It takes effect on its passage.

Mr. COCKRELL. Oh, yes; that is surplusage. But let the report be read. It is very short.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. CLAPP from the Committee on Indian Affairs on the 21st ultimo, as follows:

The Committee on Indian Affairs, to which Senate bill 3424 was referred, having considered the same, makes report and recommends its passage without amendment.

The foregoing bill is for the purpose of defining the status of the owners of structures built on Indian lands in Minnesota which have heretofore or may hereafter be allotted to Indians. And to place the question beyond doubt provides that the owners of such structures may move the same, but shall not be required to move them between the 1st day of October and the 1st day of the following May. To guard against interfering with any contract rights, the bill provides that it shall not apply to any structure placed upon the land by virtue of any contract authorized by law.

The PRESIDENT pro tempore. The Senator from Connecticut moves to amend the bill by striking out the second section.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## ESTATE OF ELI AYERS.

The bill (S. 3170) to quiet the titles of certain lands in the State of Mississippi, and for the relief of the estate of Eli Ayers, was announced as next in order.

Mr. ALLISON. Let the bill go over.

The PRESIDENT pro tempore. The bill goes over.

## RESUBDIVISION IN THE DISTRICT OF COLUMBIA.

The bill (H. R. 3584) to authorize the resubdivision of lots or blocks in the District of Columbia was considered as in Committee of the Whole.



The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC-LAND SALES.

The bill (S. 589) to extend the provisions of section 2455 of the Revised Statutes of the United States as amended by act of February 26, 1895, relating to public lands, was considered as in Committee of the Whole. It provides that where any of the public lands of the United States are now open, or shall hereafter be open to actual settlers only, under the provisions of the homestead law and under the law relating to town sites, and for that reason section 2455 of the Revised Statutes of the United States as amended by act of February 26, 1895, relating to the sale of isolated or disconnected tracts or parcels, is not applicable from and after the passage and approval of this act, a sale under the last-named section as so amended of any isolated or disconnected tracts or parcels may be ordered by the Commissioner of the General Land Office. But the minimum price for which such tracts or parcels shall be sold shall be the price required by the act under which the land so sold is subject to entry. Where no price is provided in the act opening the lands then the price for which the lands shall be sold shall be not less than \$1.25 per acre.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### AGREEMENT WITH LOWER BRULÉ INDIANS.

The bill (S. 582) to ratify an agreement with the Lower Brulé band of the Sioux tribe of Indians in South Dakota and making appropriation to carry the same into effect was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed. The preamble was agreed to.

#### MISSOURI RIVER BRIDGE.

Mr. COCKRELL. There is not time enough to pass the next bill, and I ask unanimous consent for the consideration of the bill (S. 3720) to authorize the St. Joseph and Grand Island Railway Company, in the reconstruction of the bridge across the Missouri River at or near St. Joseph, Mo., to lower said bridge and to shorten the draw spans thereof. It is a very short bill, covering only about a page, and it can be passed by the time 2 o'clock arrives.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ORDER OF BUSINESS.

The PRESIDENT pro tempore. Further proceedings under this order would be under Rule IX instead of Rule VIII, unless the Senate should otherwise direct.

Mr. PLATT of Connecticut. If there are to be further proceedings under this order, I ask that they be under Rule VIII.

Mr. BLACKBURN. What is the request of the Senator?

Mr. PLATT of Connecticut. That if we are to go on with the Calendar we shall go on with it under Rule VIII.

Mr. BLACKBURN. No; I would rather that we should not, Mr. President. On the last day's session, when we were on the Calendar we reached a bill on which the yeas and nays were called, and the vote was not definitive because the call developed the fact that there was no quorum present. At 2 o'clock I take it for granted that bill comes up again to be disposed of.

The PRESIDENT pro tempore. On the Calendar of General Orders under Rule IX, it would be the first to come up.

Mr. BLACKBURN. Yes, sir.

The PRESIDENT pro tempore. The Chair lays before the Senate bills from the House of Representatives.

#### HOUSE BILLS REFERRED.

The bill (H. R. 9641) to amend "An act granting to the Keokuk and Hamilton Water Power Company right to construct and maintain a dam, and so forth," approved February 8, 1901, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 10136) authorizing bail in criminal cases upon appeal in the courts of Indian Territory was read twice by its title, and referred to the Committee on the Judiciary.

The joint resolution (H. J. Res. 106) amending public resolution No. 8, Fifty-sixth Congress, second session, approved February 3, 1901, providing for the printing annually of the Report on Field Operations of the Division of Soils, Department of Agriculture, was read twice by its title, and referred to the Committee on Agriculture and Forestry.

#### RELATIONS WITH COLOMBIA.

Mr. PLATT of Connecticut. What is the unfinished business, Mr. President?

The PRESIDENT pro tempore. The unfinished business is the Bacon resolution.

Mr. PLATT of Connecticut. I suppose it will be laid before the Senate.

Mr. HOAR. I understand that it is the unfinished business to proceed with the call of yeas and nays, which was interrupted by the want of a quorum. I remember that question having come up once before on a very important matter.

Mr. PLATT of Connecticut. That is not the unfinished business. According to the Calendar the Bacon resolution is the unfinished business.

The PRESIDENT pro tempore. The unfinished business was laid aside informally on Friday, and the Calendar was then in order.

Mr. PLATT of Connecticut. Then the question, I suppose, is whether to-day we shall resume the consideration of the unfinished business, which is the Bacon resolution, or whether, the Senate having adjourned on a roll call for the want of a quorum, that is displaced and the bill proposing to pay the ex-Queen of the Hawaiian Islands comes up as the unfinished business.

Mr. HOAR. How did that matter come up at the last day's session?

The PRESIDENT pro tempore. The unfinished business was informally laid aside, there being no one ready to address the Senate upon it.

Mr. HOAR. Oh, well; then the Senator from Connecticut is right.

Mr. BLACKBURN. The Senate determined to go to the Calendar, as I understand it, and this bill was reached in its order.

Mr. GALLINGER. That is right.

Mr. BLACKBURN. And a vote by yeas and nays was ordered, and the call of the yeas and nays developed no quorum, whereupon a motion to adjourn was made and agreed to.

Mr. KEAN. The yeas and nays were ordered on a motion to recommit the bill.

Mr. BLACKBURN. The yeas and nays were ordered on a motion to recommit the bill to the Committee on Pacific Islands and Porto Rico. The call of the roll showed no quorum, whereupon a motion to adjourn was made and carried. That, I take it, is the situation.

The PRESIDENT pro tempore. But if the unfinished business was only informally laid aside for the day, it would resume its place as unfinished business to-day.

Mr. BLACKBURN. During a call of the yeas and nays?

The PRESIDENT pro tempore. The Chair thinks so.

Mr. GALLINGER. I suggest that the unfinished business be laid before the Senate, and if no one is ready to proceed with its consideration then we can go to the Calendar.

Mr. CULLOM. And then we can lay aside the unfinished business again.

Mr. BLACKBURN. Then I ask that the unfinished business be laid aside, and that the Senate proceed to the consideration of the bill which was before the Senate on Friday.

The PRESIDENT pro tempore. The Senator from Kentucky asks unanimous consent that the unfinished business be temporarily laid aside and that the Senate shall proceed to the consideration of the Calendar of General Orders. Is there objection? The Chair hears none. The Chair will lay before the Senate the first case on the Calendar.

#### PAYMENT TO EX-QUEEN LILIUOKALANI.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1553) for payment to Liliuokalani, formerly Queen of the Kingdom of Hawaii.

The PRESIDENT pro tempore. The motion pending at the time of the adjournment of the Senate was to recommit the bill to the Committee on Pacific Islands and Porto Rico. That motion is now pending. The yeas and nays were ordered upon it, and that order remains unsatisfied by reason of no quorum having appeared at the time. The Secretary will call the roll on the motion to recommit.

The Secretary proceeded to call the roll.

Mr. TILLMAN. Is an inquiry in order?

The PRESIDENT pro tempore. Hardly, after the roll call has commenced.

Mr. TILLMAN. I simply wanted to know just what the roll is being called on. I understand that it is a bill on the Calendar.

The PRESIDENT pro tempore. It is on the motion to recommit Senate bill 1553 to the Committee on Pacific Islands and Porto Rico.

The Secretary resumed the call of the roll.

Mr. MCCREARY (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HANNA]. If he were present, I should vote "nay."

Mr. NELSON (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. BERRY]. Therefore I withhold my vote.

Mr. QUARLES (when his name was called). I have a general

pair with the senior Senator from Texas [Mr. CULBERSON]. I do not know how he would vote. If he were here, I should vote "yea."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. CLAPP], which I transfer to the Senator from South Carolina [Mr. LATIMER]. I vote "nay."

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. I do not see him present. So I will have to withhold my vote.

The roll call was concluded.

Mr. GIBSON. I am paired with the Senator from Utah [Mr. KEARNS].

Mr. BAILEY. I am paired with the Senator from West Virginia [Mr. ELKINS]. As he is not present, I withhold my vote.

Mr. PERKINS (after having voted in the negative). I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN]. I understand that if he were present he would vote "nay." Therefore I will permit my vote to stand.

Mr. GAMBLE. I have a general pair with the junior Senator from Nevada [Mr. NEWLANDS]. The junior Senator from Kentucky [Mr. MCCREARY] has a general pair with the junior Senator from Ohio [Mr. HANNA]. The pairs have been transferred so that the junior Senator from Ohio [Mr. HANNA] will stand paired with the junior Senator from Nevada [Mr. NEWLANDS], permitting the junior Senator from Kentucky and myself to vote. I therefore vote "yea."

Mr. MCCREARY. I vote "nay."

Mr. MILLARD (after having voted in the affirmative). I have a general pair with the Senator from Arkansas [Mr. CLARKE], and therefore I withdraw my vote.

Mr. CLARK of Wyoming. I ask if the junior Senator from Missouri [Mr. STONE] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. CLARK of Wyoming. I have a general pair with that Senator, and withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. BACON (after having voted in the negative). By request of the senior Senator from Rhode Island [Mr. ALDRICH] I will consent to pair with the junior Senator from Rhode Island [Mr. WETMORE], and I withdraw my vote.

Mr. CLARK of Wyoming. I am informed that if the junior Senator from Missouri [Mr. STONE] were present he would vote "nay." I therefore take the liberty of voting. I vote "nay."

Mr. DANIEL (after having voted in the negative). I wish to state that I have a pair with the Senator from North Dakota [Mr. HANSBROUGH]. I voted, thinking that he would come in, but I have no information as to how he would vote. I do not know whether there is any question of politics about the motion.

Mr. ALDRICH. I do not know how the Senator from North Dakota would vote.

Mr. HOAR. There is no politics in it.

Mr. DANIEL. I will let my vote stand.

Mr. MILLARD. I will transfer my pair with the junior Senator from Arkansas [Mr. CLARKE] to the Senator from Delaware [Mr. ALLEE], and vote "yea."

Mr. SIMMONS. I will transfer my pair with the junior Senator from Minnesota [Mr. CLAPP] to the junior Senator from South Carolina [Mr. LATIMER], so that the junior Senator from Minnesota will stand paired with the junior Senator from South Carolina. I vote "nay."

The result was announced—yeas 23, nays 27, as follows:

#### YEAS—23.

Aldrich,	Dillingham,	Heyburn,	Platt, Conn.
Ball,	Dolliver,	Hopkins,	Proctor,
Bard,	Dryden,	Kean,	Smoot,
Burnham,	Frye,	Lodge,	Spooner,
Burrows,	Gallinger,	Long,	Warren.
Cullom,	Gamble,	Millard,	

#### NAYS—27.

Alger,	Daniel,	McComas,	Perkins,
Ankeny,	Dubois,	MCCreary,	Pettus,
Bate,	Foraker,	Mallory,	Platt, N. Y.
Blackburn,	Foster, Wash.	Martin,	Simmons,
Carmack,	Fulton,	Mitchell,	Stewart,
Clark, Wyo.	Gorman,	Money,	Teller.
Clay,	Hoar,	Patterson,	

#### NOT VOTING—40.

Allee,	Cockrell,	Hansbrough,	Newlands,
Allison,	Culbertson,	Hawley,	Overman,
Bacon,	Depew,	Kearns,	Penrose,
Bailey,	Dietrich,	Kittredge,	Quarles,
Berry,	Elkins,	Latimer,	Quay,
Beveridge,	Fairbanks,	McCumber,	Scott,
Burton,	Foster, La.	McEnery,	Stone,
Clapp,	Gibson,	McLaurin,	Taliaferro,
Clark, Mont.	Hale,	Morgan,	Tillman,
Clarke, Ark.	Hanna,	Nelson,	Wetmore.

So the Senate refused to recommit the bill.

The PRESIDENT pro tempore. The pending question is on the amendment offered by the Senator from Florida [Mr. MALLORY], which will be stated.

The SECRETARY. In line 6, before the word "thousand," it is proposed to strike out "hundred" and insert "one hundred and fifty;" so as to make the bill read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Liliuokalani, formerly Queen of the Kingdom of Hawaii, \$150,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. SPOONER. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GIBSON (when his name was called). I have a general pair with the senior Senator from Utah [Mr. KEARNS], and therefore withhold my vote.

Mr. MCENERY (when his name was called). I have a general pair with the Senator from New York [Mr. DEFEW], and therefore withhold my vote.

Mr. NELSON (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. BERRY], and withhold my vote on that account.

Mr. SIMMONS (when his name was called). I have a general pair with the Senator from Minnesota [Mr. CLAPP], but I transfer that pair to the Senator from South Carolina [Mr. LATIMER], and vote. I vote "yea."

The roll call was concluded.

Mr. ALLISON. I have a general pair with the Senator from Missouri [Mr. COCKRELL], and therefore refrain from voting. If he were present, I should vote "nay."

Mr. BACON. I again announce my pair with the junior Senator from Rhode Island [Mr. WETMORE].

The result was announced—yeas 26, nays 26, as follows:

#### YEAS—26.

Alger,	Dubois,	McCreary,	Pettus,
Bate,	Foraker,	Mallory,	Platt, N. Y.
Blackburn,	Foster, Wash.	Martin,	Simmons,
Carmack,	Fulton,	Mitchell,	Stewart,
Clark, Wyo.	Gorman,	Money,	Teller.
Clay,	Hale,	Patterson,	
Daniel,	Hoar,	Perkins,	

#### NAYS—26.

Alrich,	Dillingham,	Heyburn,	Proctor,
Ankey,	Dolliver,	Hopkins,	Smoot,
Ball,	Dryden,	Kean,	Spooner,
Bard,	Frye,	Lodge,	Tillman,
Burnham,	Gallinger,	Long,	Warren.
Burrows,	Gamble,	Millard,	
Cullom,	Hansbrough,	Platt, Conn.	

#### NOT VOTING—38.

Allee,	Cockrell,	Kearns,	Overman,
Allison,	Culbertson,	Kittredge,	Penrose,
Bacon,	Depew,	Latimer,	Quarles,
Bailey,	Dietrich,	McComas,	Quay,
Berry,	Elkins,	McCumber,	Scott,
Beveridge,	Fairbanks,	McEnery,	Stone,
Burton,	Foster, La.	McLaurin,	Taliaferro,
Clapp,	Gibson,	Morgan,	Wetmore.
Clark, Mont.	Hanna,	Nelson,	
Clarke, Ark.	Hawley,	Newlands,	

The PRESIDENT pro tempore. The bill fails to pass.

#### CONSIDERATION OF CALENDAR UNDER RULE VIII.

Mr. ALDRICH. Let the next bill on the Calendar be stated, Mr. President.

The PRESIDENT pro tempore. The next bill on the Calendar will be stated.

Mr. PLATT of Connecticut. Mr. President, when we went to the Calendar, I asked unanimous consent that we might proceed under Rule VIII. Objection was made because of the bill which has just been disposed of. I will venture to again ask that we proceed with the Calendar under Rule VIII for this afternoon.

The PRESIDENT pro tempore. The Senator from Connecticut asks that the consideration of bills on the Calendar be under Rule VIII. Is there objection?

Mr. MALLORY. What is the request, Mr. President?

The PRESIDENT pro tempore. The Senator from Connecticut asks that the further consideration of bills on the Calendar be proceeded with under Rule VIII.

Mr. MALLORY. What is that rule, Mr. President?

The PRESIDENT pro tempore. Bills considered under Rule VIII are open to objection, and the rule also limits debate on bills to five minutes on the part of each Senator. Is there objection to the request of the Senator from Connecticut? The Chair hears none, and that order will be made.



## GOVERNMENT PRINTING OFFICE EMPLOYEES.

The bill (S. 2665) to provide for the allowance and payment to the employees of the Government Printing Office of the same leave of absence as is allowed to the clerks and employees of the Executive Departments of the Government was considered as in Committee of the Whole.

The bill was reported from the Committee on Printing with an amendment, to strike out all after the enacting clause and insert:

That from and after the date of the passage of this act the thirty days' annual leave of absence with pay in any one year to employees of the Government Printing Office, authorized by the existing law, shall be exclusive of Sundays and legal holidays: *Provided*, That the existing laws relating to the granting of annual leave with pay to clerks and employees in the Executive Departments shall apply to clerks and employees of the Government Printing Office who are paid annual or monthly salaries or compensation.

Mr. BAILEY. I should like to inquire if that amendment does not change the wording of the bill without making the slightest change in the effect of the bill?

Mr. ALLISON. Let the bill be again read.

Mr. BAILEY. I should like to have the bill explained by whomsoever is in charge of it.

Mr. PLATT of New York. I will say that the amendment which has been reported by the Committee on Printing was suggested by the Public Printer.

Mr. BAILEY. I desire to say that I can see no objection to allowing these Government employees the same privileges that are allowed to other Government employees, but, as I heard the amendment read, it simply changes the wording of the original bill without changing the effect of it. I should like to know, if there is any change in the effect of the bill, what it is.

Mr. GALLINGER. The Public Printer, I will say to the Senator from Texas, according to the report made by the committee, says:

It would facilitate the keeping of individual accounts in the office if a proviso should be added as follows.

Then is given the proviso which appears in the bill. I confess that I do not myself understand it.

Mr. SPOONER. What is the proviso?

Mr. GALLINGER. It is as follows:

*Provided*, That the existing laws relating to the granting of annual leave with pay to clerks and employees in the Executive Departments shall apply to clerks and employees of the Government Printing Office who are paid annual or monthly salaries or compensation.

The point the Public Printer makes is that it will facilitate the keeping of individual accounts in the office to have that proviso in the bill.

Mr. BAILEY. I suppose the Public Printer understands that, but inasmuch as we are to pass upon it I should like to understand it, too.

Mr. ALLISON. I should like to have the bill again read, so that we may understand it.

The PRESIDENT pro tempore. The original bill or the substitute?

Mr. ALLISON. I should like to have both read.

The Secretary read the original bill and the amendment reported by the Committee on Printing.

Mr. ALLISON. Mr. President, I have an impression that in the Executive Departments, unless the law has been changed, Sundays and legal holidays are excluded. Both the amendment and the original bill provide that persons employed in the Public Printing Office shall be allowed thirty days' leave of absence, excluding Sundays and legal holidays in the computation of leave. In the Executive Departments thirty days' leave is allowed, and then an additional thirty days on account of sickness, with full pay. I suppose the object of the bill now under consideration is to place employees of the Government Printing Office in substantially the same position as those in the Executive Departments.

Mr. CULLOM. It seems to me that this bill is not thoroughly understood. I think it ought to go over so that we may examine it and ascertain exactly what its effect will be, as nobody now seems to know.

The PRESIDENT pro tempore. The Senator from Illinois objects to the further consideration of the bill.

Mr. CULLOM. I hope the bill will go over without prejudice.

The PRESIDENT pro tempore. The bill will go over without prejudice.

## MISBRANDING OF SALMON FISH.

The bill (S. 220) prohibiting the introduction into any State or Territory or the District of Columbia, from any other State or Territory or the District of Columbia, or from any foreign country, or shipment to any foreign country, any misbranded salmon fish prepared or intended for use as an article of food was announced as next in order.

Mr. BAILEY. I do not see the Senator who introduced this bill in his seat, and it looks to me as if the bill involves rather an important question—too important to be disposed of under our present procedure.

Mr. FULTON. If the Senator will permit me, I propose, as soon as the opportunity offers, to present an amendment inserting the word "knowingly."

Mr. BAILEY. Mr. President, it looks to me as if this bill might properly wait until we have before us on our Calendar the pure-food bill.

I dislike to object to the consideration of any bill, and I do not know that I am going to object to this one, but it occurs to me that it is not the kind of a bill that ought to be considered in this brief, less than deliberative way under this rule. This bill goes to the very power of the Government over and protection of the people of the various States against commercial frauds, and I hope the Senator will at least let it go over until some of us can look into it. It may turn out on examination to be free from the objections which now occur to me.

Mr. FULTON. I should like to call the Senator's attention to the fact that this bill came up once before and was discussed at some considerable length. The Senator from Connecticut [Mr. PLATT] pointed out some objections which he thought were proper to urge against the bill, namely, that the word "knowingly" should be inserted at several places in the bill, so that one could not be punished for disposing of or shipping misbranded salmon unless he did so knowingly.

Mr. BAILEY. That, of course, was a sound criticism, if the Federal Government is going to undertake this policy, but every State in the Union is entirely competent to protect its people against deception in articles of food and drink and against deleterious articles of food and drink. It occurs to me that this bill raises something of the question we had here under the oleomargarine bill, and the next State that wants to protect any of its industries might want a bill passed to label its products in the right way or in the wrong way if Congress should choose to do so.

Mr. FULTON. I will call the Senator's attention to the fact that this bill does not require the fish to be labeled at all. It simply provides that if they shall be labeled, they shall be honestly labeled; that there shall be no false statement on the label. It only applies to fish that are intended for interstate commerce. I want to say, if the Senator will permit me, that while of course he has the right to object, I hope he will not do so, for I am very anxious to get this bill before the Senate and have it passed on one way or the other.

Mr. BAILEY. I am trying my best to avoid the necessity of objecting by inducing the proponent of the bill to let it go over. I think it entirely proper that everybody should be honest, tradespeople as well as everybody else, and I think if they brand their merchandise, they ought to brand it honestly; but, according to my ancient and obsolete view of these matters, I think the States ought to control them. If the Federal Government is to enter upon the policy of seeing that everybody marks and brands his products correctly, I am unable to see where it will end; and, ungracious as it may seem, I am going to ask that this bill go over. I am not willing to see a bill of this character disposed of in this way.

The PRESIDENT pro tempore. The Senator from Texas objects, and the bill will go over.

## PIPE LINES IN INDIAN TERRITORY.

The bill (S. 2302) to amend section 3 of the act entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1902, and for other purposes," was announced as next in order.

Mr. STEWART. That bill had better go over. I think we passed one on the same subject the other morning.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

## WATERWORKS AND BOND ELECTION OF GEARY, OKLA.

The bill (S. 3658) ratifying an act of the legislative assembly of the Territory of Oklahoma legalizing the waterworks and bond election held by the city of Geary, in said Territory, was announced as next in order.

Mr. BAILEY. Let that bill go over.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

## FINES AND PARDONS IN THE DISTRICT OF COLUMBIA.

The bill (S. 2299) to authorize the Commissioners of the District of Columbia to remit fines and grant pardons was announced as next in order.

The Secretary read the bill.

Mr. HALE. I wish the Senator who reported the bill or the chairman of the committee would state to the Senate what precedents there are for a bill of this kind that proposes to vest in the Commissioners of the District of Columbia the pardoning power, the power to remit penalties, to release from imprisonment, which I have never known to be exercised by anybody in the District, which is in Federal jurisdiction, not a State. I would be very

glad to have the chairman of the committee or somebody else explain to us on what basis the pardoning power is to be lodged with the Commissioners.

Mr. GALLINGER. Mr. President, the Senator from Florida [Mr. MALLORY] had this bill in charge and reported it. I observe that he has reported a substitute which was prepared by Attorney-General Knox. I will say frankly that when this bill first came to my attention, as a layman I thought it was rather an extraordinary bill, and for that reason I referred it to a member of the committee whom I knew to be a good lawyer, and I know that the Senator from Florida did give it very careful consideration. He is not in his seat at the present time, and I think the bill had better go over until he is present.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

#### MONONGAHELA RIVER BRIDGE AT RIVESVILLE, W. VA.

The bill (S. 3430) to authorize the Buckhannon and Northern Railroad Company, a corporation under the laws of the State of West Virginia, to build a bridge across the Monongahela River near the town of Rivesville, in the State of West Virginia, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments.

The first amendment was, in section 2, page 2, line 17, after the word "purposes," to insert "and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies."

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 8, after the word "said," to strike out "bridges" and insert "bridge."

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 23, after the word "subject," to strike out "Such map shall be accompanied by another, drawn on the scale of 1 inch to 200 feet, giving for a space of one-half mile above the proposed site and a quarter of a mile below, an accurate representation of the bottom of the river by contour lines 2 feet apart, determined by accurate soundings;" on page 4, line 4, before the word "said," to insert "the construction of;" in line 5, before the word "until," to strike out "constructed" and insert "commenced;" so as to make the section read:

SEC. 3. That the bridge authorized to be constructed under this act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company shall submit to the Secretary of War, for his examination and approval, designs and drawings of the said bridge and a map of the location of the same, giving the topography of the banks of the river, the shore line at high and low water, and the direction and strength of the current at different stages, the location of any other bridge or bridges within one mile thereof, and such further information as may be required for a satisfactory understanding of the subject; and the construction of said bridge shall not be commenced until the plan and location is approved by the Secretary of War.

The amendment was agreed to.

The next amendment was, to insert at the end of section 4 the following:

Furthermore, if the construction of the said bridge is not commenced within one year and completed within three years from the date of approval of this act, the rights and privileges hereby granted shall cease and be determined.

The amendment was agreed to.

The bill was reported the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PROCEEDS OF PUBLIC-LAND SALES IN CALIFORNIA.

The bill (S. 904) granting to the State of California 5 per cent of the net proceeds of the cash sales of public lands in said State was announced as the next business in order on the Calendar.

Mr. CLAY. Mr. President—

Mr. TILLMAN. Let the bill go over.

The PRESIDENT pro tempore. Objection being made, the bill will go over.

Mr. PERKINS. We are considering the Calendar under Rule IX, are we not?

The PRESIDENT pro tempore. Under Rule VIII.

Mr. HALE. Under Rule VIII—unobjected cases.

The PRESIDENT pro tempore. Under Rule VIII, by unanimous consent.

#### COLVILLE RESERVATION, STATE OF WASHINGTON.

The bill (S. 345) to provide for the opening of the remaining portion of the Colville Reservation, in the State of Washington, and for other purposes, was announced as the next business in order on the Calendar.

Mr. ALDRICH. Let the bill go over, Mr. President.

Mr. FOSTER of Washington. I hope the Senator from Rhode Island will withdraw his objection.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

#### AGREEMENT WITH KLAMATH INDIANS.

The bill (S. 2226) to ratify an agreement with the Indians of the Klamath Indian Reservation, in Oregon, and making appropriations to carry the same into effect, was announced as the next business in order on the Calendar.

Mr. ALDRICH. I suggest that the bill had better go over.

The PRESIDENT pro tempore. Objection being made, the bill will go over.

#### TURTLE MOUNTAIN AND CHIPPEWA INDIANS.

The bill (S. 196) to ratify and confirm an agreement with the Turtle Mountain and Chippewa Indians in the State of North Dakota, and to make appropriations for carrying the same into effect, was announced as the next business in order on the Calendar.

Mr. HANSBROUGH. My colleague [Mr. McCUMBER], who reported the bill, is absent, and I think it had better go over until he is present.

The PRESIDENT pro tempore. The bill will go over without prejudice.

#### QUARANTINE STATION, SAN DIEGO, CAL.

The bill (S. 3607) making appropriations for the removal of the quarantine station at San Diego, Cal., and to acquire a new site, and for other purposes, was considered as in Committee of the Whole. It proposes to appropriate \$200,000 for the purpose of removing the quarantine station at San Diego, Cal., to a new site, and the erection thereon of buildings, wharves, and other improvements.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### LEGAL REPRESENTATIVES OF A. G. BOONE.

The bill (S. 677) for the relief of the legal representatives of A. G. Boone was announced as the next business in order on the Calendar.

Mr. PLATT of Connecticut. I do not think we can dispose of the bill at this time.

The PRESIDENT pro tempore. Objection being made, the bill will go over.

#### CAROLINE MURTAGH.

The bill (S. 1779) for the relief of Caroline Murtagh, widow of the late William J. Murtagh, formerly proprietor of the National Republican, of Washington, D. C., was announced as the next business in order on the Calendar.

Mr. GALLINGER. Let the bill go over, Mr. President.

The PRESIDENT pro tempore. Objection being made, the bill will go over.

#### JEWETT W. ADAMS.

The bill (S. 176) for the relief of Jewett W. Adams was considered as in Committee of the Whole. It proposes to pay to Jewett W. Adams, superintendent of the United States mint at Carson City, Nev., the sum of \$301 for money paid out by him during the months of July and August, 1894, to T. R. Hofer and L. L. Elrod for necessary services rendered by them in the mint at Carson City, Nev.

Mr. STEWART. Mr. Adams paid for clerical services out of the laborers' fund, but the Comptroller said it could not be legally paid out of that fund. There was not enough in the other fund, so he paid it out of his own pocket. There is no doubt about its having been paid for services.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### W. R. AUSTIN & CO.

The bill (S. 1941) for the relief of W. R. Austin & Co. was announced as the next business in order on the Calendar.

Mr. GALLINGER. I do not find any report in this case. I should at least like an explanation of it.

Several SENATORS. Let the bill go over.

Mr. GALLINGER. Yes; let it go over.

The PRESIDENT pro tempore. Objection being made, the bill will go over.

#### GROVES OF SEQUOIA GIGANTEA.

The bill (S. 2223) providing a means of acquiring title to two groves of Sequoia gigantea in the State of California, with a view to making national parks thereof, was announced as the next business in order on the Calendar.

Mr. BARD. Mr. President, having been notified that the Senator from Minnesota desires to participate in the discussion of this bill, I ask that it may go over without prejudice.

Mr. KEAN. Let us consider it.

Mr. BARD. I withdraw the suggestion.



Mr. BAILEY. In order to save it for the Senator from Minnesota, I will ask that the bill go over.

The PRESIDENT pro tempore. The bill will go over.

#### USE OF RESERVOIR SITES.

The bill (S. 579) to regulate the use by the public of reservoir sites located upon the public lands of the United States was considered as in Committee of the Whole.

Mr. GALLINGER. If this is the bill I think it is—if it increases the length of time that cattle are to be kept in cars while being transported—

Mr. GAMBLE. That is not the bill. This simply regulates the use by the public of reservoir sites located upon the public lands of the United States.

Mr. GALLINGER. My attention was diverted for the moment.

Mr. ALDRICH. Let the report be read.

Mr. HALE. Is it a long report?

Mr. GAMBLE. No; it is a short report.

Mr. GALLINGER. I have no objection to the bill if it is not the one I thought it was.

Mr. ALDRICH. Let the report be read.

The Secretary read the report submitted by Mr. GAMBLE on the 27th ultimo, as follows:

The Committee on Public Lands, to whom was referred the bill (S. 579) to regulate the use by the public of reservoir sites located upon the lands of the United States, having had the same under consideration, submit the following report and recommend the passage of the bill.

On January 13, 1897, an act was passed by Congress providing for the location of reservoir sites upon the public lands of the United States, containing, among other provisions, the following:

"That any person, live-stock company, or transportation corporation engaged in breeding, grazing, driving, or transporting live stock may construct reservoirs upon unoccupied public lands of the United States, not mineral or otherwise reserved, for the purpose of furnishing water to such live stock, and shall have control of such reservoir, under the regulations prescribed by the Secretary of the Interior, and the lands upon which the same is constructed, not exceeding 160 acres, so long as such reservoir is maintained and water kept therein for such purposes: *Provided*, That such reservoir shall not be fenced and shall be open to the free use of any person desiring to water animals of any kind."

Pursuant to this legislation numerous reservoir sites have been located and reservoirs constructed in different parts of the arid and semiarid West for the purpose of creating watering places for live stock upon the public ranges of the West, and especially in order to have suitable watering places at regular intervals for beef cattle that may be driven from the ranges to the shipping stations during the dry season of the summer and fall. In the main the experiments which have been made under the provisions of this act have been successful and have demonstrated that it is entirely practicable to store large quantities of surface water that come from the melting snows and early rains of the springtime for use during the drought season of the year. Several transportation companies have constructed such reservoirs at regular intervals throughout the range country, chiefly for the convenience of herds of stock that may be driven to and from the shipping stations. Under the law, however, these reservoir sites can not be fenced, and they are used freely for the watering of local as well as transitory stock.

It has been found, however, that the usefulness of these watering places for live stock that is being driven to the shipping stations is very much impaired by the fact that local range stock will habitually graze upon the grass in the immediate vicinity of these watering places, thereby destroying all forage in the immediate vicinity thereof, leaving nothing for the use of herds that are being driven to market. The purpose of the present bill is to reserve an area represented by a radius of 2 miles immediately around such watering places from the continual grazing by local herds, so that the grass may not be entirely destroyed. It permits the grass growing within this radius, however, to be used freely by local herds as well as transitory herds while they may be driven to and from these watering places.

The bill is properly restricted so as to confine it to reservoirs constructed and maintained as watering places in connection with the driving and transporting of live stock and providing that the act shall in no way interfere with the entry of any portion of the public lands under the general laws of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BRIG OLIVE FRANCES.

The bill (S. 483) for the relief of the owners and officers of the brig *Olive Frances* and others on board said brig was considered as in Committee of the Whole. It proposes that the claims of the owners and officers of the brig *Olive Frances*, of Machiasport, Me., and others on board the brig, for damages and losses sustained by reason of collision of the U. S. gunboat *Winooski* with the brig, on July 30, 1866, shall be referred for examination and adjudication to the district court of the United States for the district of Maine.

Mr. ALLISON. There is no provision for an appeal.

Mr. PLATT of Connecticut. Oh, yes, there is.

Mr. HALE. There is a general provision of law. There is no question about that.

Mr. ALLISON. If that is the case I shall not object.

Mr. PLATT of Connecticut. The Senator will find it in section 3, line 13.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in

executive session the doors were reopened, and (at 3 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 16, 1904, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate February 15, 1904.*

#### PROMOTIONS IN THE ARMY.

##### Signal Corps.

First Lieut. Henry S. Hathaway, Signal Corps, to be captain, December 30, 1903, vice Ives, deceased.

##### Infantry Arm.

Capt. Charles W. Penrose, Twenty-eighth Infantry, to be major, October 15, 1903, vice Eltonhead, Fourteenth Infantry, resigned.

Capt. Daniel L. Howell, Seventh Infantry, to be major, November 24, 1903, vice Newton, Sixteenth Infantry, deceased.

Capt. John Stafford, Eighth Infantry, to be major, November 28, 1903, vice Wood, Twentieth Infantry, detailed as inspector-general.

First Lieut. Joseph L. Gilbreth, Fourteenth Infantry, to be captain, October 15, 1903, vice Penrose, Twenty-eighth Infantry, promoted.

First Lieut. Charles F. Humphrey, jr., Third Infantry, to be captain, November 21, 1903, vice Sigworth, Ninth Infantry, detailed as paymaster.

First Lieut. Willey Howell, Fourth Infantry, to be captain, November 24, 1903, vice Howell, Seventh Infantry, promoted.

First Lieut. Benjamin J. Tillman, Seventh Infantry, to be captain, November 28, 1903, vice Stafford, Eighth Infantry, promoted.

Second Lieut. Arthur H. Freshwater, Twenty-eighth Infantry, to be first lieutenant, September 28, 1903, vice Hannay, Twenty-second Infantry, promoted.

Second Lieut. Joseph C. Wilson, Sixth Infantry, to be first lieutenant, October 9, 1903, vice Wygant, Third Infantry, promoted.

Second Lieut. Morris M. Keck, Twelfth Infantry, to be first lieutenant, October 10, 1903, vice Graham, Nineteenth Infantry, promoted.

Second Lieut. Auswell E. Deitsch, Fifth Infantry, to be first lieutenant, October 15, 1903, vice Gilbreth, Fourteenth Infantry, promoted.

Second Lieut. William Korst, Seventh Infantry, to be first lieutenant, October 23, 1903, vice Bright, Second Infantry, resigned.

Second Lieut. Joseph C. Kay, Eleventh Infantry, to be first lieutenant, November 16, 1903, vice Robbins, Fifteenth Infantry, retired from active service.

Second Lieut. Walter C. Jones, Eleventh Infantry, to be first lieutenant, November 21, 1903, vice Humphrey, Third Infantry, promoted.

Second Lieut. Charles Abel, Eighteenth Infantry, to be first lieutenant, November 24, 1903, vice Howell, Fourth Infantry, promoted.

#### POSTMASTERS.

##### CALIFORNIA.

George Brown to be postmaster at Corona, in the county of Riverside and State of California, in place of Herbert C. Foster, resigned.

##### CONNECTICUT.

Alfred E. Goddard to be postmaster at Essex, in the county of Middlesex and State of Connecticut, in place of Alfred E. Goddard. Incumbent's commission expires February 19, 1904.

##### ILLINOIS.

M. S. Brown to be postmaster at Brighton, in the county of Macoupin and State of Illinois. Office became Presidential July 1, 1903.

##### LOUISIANA.

R. Blanchard to be postmaster at Whitecastle, in the parish of Iberville and State of Louisiana, in place of William F. Himel, jr. Incumbent's commission expired January 8, 1904.

##### MICHIGAN.

Fabius A. Fisk to be postmaster at Colon, in the county of St. Joseph and State of Michigan, in place of Henry C. Whitmer. Incumbent's commission expired January 23, 1904.

Charles E. Ramsey to be postmaster at Central Lake, in the county of Antrim and State of Michigan, in place of Milton W. Newkirk, removed.

##### MINNESOTA.

Fred N. Corey to be postmaster at Elk River, in the county of Sherburne and State of Minnesota, in place of Fred N. Corey. Incumbent's commission expired January 17, 1904.

##### NEBRASKA.

David S. Beynon to be postmaster at Burwell, in the county of Garfield and State of Nebraska. Office became Presidential January 1, 1904.

## NEW YORK.

Seth Allen to be postmaster at Dannemora, in the county of Clinton and State of New York. Office became Presidential October 1, 1903.

## OHIO.

William M. Evans to be postmaster at Hubbard, in the county of Trumbull and State of Ohio. Office became Presidential January 1, 1904.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 15, 1904.*

## POSTMASTERS.

## COLORADO.

Robert E. Hanna to be postmaster at New Windsor, in the county of Weld and State of Colorado.

## ILLINOIS.

Isaac W. Parkinson to be postmaster at Stockton, in the county of Jo Daviess and State of Illinois.

## MARYLAND.

Samuel Hambleton to be postmaster at Rising Sun, in the county of Cecil and State of Maryland.

## MONTANA.

Walter Alderson to be postmaster at Red Lodge, in the county of Carbon and State of Montana.

## NORTH CAROLINA.

William H. Holt to be postmaster at Graham, in the county of Alamance and State of North Carolina.

## HOUSE OF REPRESENTATIVES.

MONDAY, February 15, 1904.

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

O Thou who art supremely wise and good, life-giving, life-sustaining Potentate, in whom all our longings, hopes, and aspirations are centered, be graciously near, we beseech Thee, to the statesman and patriot whose life now trembles in the balance. Spare him, we beseech Thee, to his family, his friends, and his countrymen, that yet a little longer his genial presence, his wise counsel, and efficient service may be theirs and ours. Hear us, O Lord, and answer us in accordance with Thy wisdom and good pleasure, in the name of Jesus Christ, our Lord. Amen.

The Journal of Friday's proceedings was read and approved.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed a bill and joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

S. 1501. An act for the relief of James F. McIndoe; and

S. R. 49. Joint resolution to provide for the expenditure of funds heretofore appropriated for the improvement of the Sacramento River.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 1490) to authorize the sale of a part of what is known as the Red Lake Indian Reservation in the State of Minnesota.

## SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 3 of Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 1501. An act for the relief of James F. McIndoe—to the Committee on Claims.

S. R. 49. Joint resolution to provide for the expenditure of funds heretofore appropriated for the improvement of Sacramento River—to the Committee on Rivers and Harbors.

## CONTESTED-ELECTION CASE—BONYNGE V. SHAFROTH.

Mr. SHAFROTH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. SHAFROTH. It relates to the right of a Member to a seat in this House.

The SPEAKER. The gentleman will proceed.

Mr. SHAFROTH. Mr. Speaker, in the contested-election case of Robert W. Bonyngé against John F. Shafroth it was stipulated and agreed by contestant and contestee that the ballots cast at that election in the twenty-nine contested precincts should be brought

before the Committee on Elections of this House and opened for the first time in the presence of its members. The ballots were those cast at the general election in 1903 for State officers and Representative in Congress. The object was that the original arrangement, form, and condition of the ballots should first be seen by the committee. The ballots were shipped to the Clerk of the House of Representatives at the joint expense of contestant and contestee.

At the first meeting of the committee for the hearing of this case the ballots were presented for inspection. A subcommittee was appointed to ascertain how many illegal ballots were contained therein. It was agreed that in order to facilitate their work their sessions should be secret. The subcommittee opened the ballots from three precincts, and finding that it took one week to examine them, asked the House for authority to employ an expert, which was granted. Since that time the expert has been examining the ballots, and on Thursday last made his report to the committee. The committee then ordered that each of the parties should have one week's time in which to examine the ballots, and if then either of us desired to send for the expert for the purpose of examining him that we should have that privilege. After that the case was to be set for argument before the committee.

On Thursday afternoon I commenced examining the ballots, and continued doing so during Thursday, Friday, and Saturday. I do not believe that 2,792 illegal votes were cast (that being my majority as returned), yet my examination disclosed the fact that the assurances which I had received as to the regularity of the votes in many of the precincts were not true, and that there were illegal votes therein which tainted the polls, and the polls so tainted gave me a greater plurality than my returned majority in the district.

The fact was a bitter disappointment to me, but nevertheless true.

The law is that when a poll is tainted by fraud and it is impossible to purge the poll of the fraudulent votes, the vote of the entire precinct, legal and illegal, must be thrown out.

The committee has given me every opportunity to ascertain the illegal vote so as to save the valid vote in those precincts. Until I saw the ballots last Thursday, I thought the illegal vote could be detected and separated from the legal vote, but I must confess that my inspection has convinced me that it is impossible to do so in this case.

The law being as I have stated and the number of precincts tainted containing majorities for me greater than my returned majority, I must say that if I were a judge upon the bench considering this case I would be compelled to find against myself, and as the vote in the contested precincts aggregates less than one-tenth of the vote in the Congressional district, I would be compelled to find that according to law Mr. Bonyngé is entitled to the seat. [General applause.]

I did my best to have an honest election. My law partner, with my approval, organized a citizens' committee composed of both Republicans and Democrats who desired a fair election. The headquarters of that committee, as shown by the evidence in this case, were in the law offices of Rogers, Shafroth & Gregg, Denver, Colo.

I have always been in favor of pure politics, and when the test is applied to an election at which I was voted for as one of the candidates upon the ticket I should not shirk my duty or change my convictions concerning honest elections.

I therefore will say to the Committee on Elections No. 2 and to the Members of this House that they can seat Mr. Bonyngé at their earliest convenience.

As this is the last time I will have the opportunity of addressing the House, I want to thank the Committee on Elections No. 2, and particularly the chairman, Mr. OLMSTED, and the subcommittee, Mr. MILLER, Mr. CURRIER, and Mr. SULLIVAN, for the fair and impartial manner in which they proceeded to investigate this case. Every suggestion which I made as to the investigation was readily concurred in.

I wish also to say that I appreciate the repeated declarations of Mr. Bonyngé in the record that I was not a party to or in any manner connected with any of the frauds or irregularities charged. I also desire to thank the Members of this House for the uniform courtesy and evidences of respect which I have received during the eight years of my service in Congress. I have formed friendships here upon both sides of the Chamber which I shall cherish through life. I fully appreciate the high character of the men who compose this body, but it is only when I am about to leave that I fully realize the distinguished honor it is to serve as a Member in the greatest legislative body on the face of the globe. Wishing you all a happy and prosperous future, I will say good-bye. [Loud general applause.]

Mr. Speaker, I will ask the chairman of the committee, if he is ready, to present the usual resolutions in a case of this kind.



Mr. OLMSTED. Mr. Speaker, I had risen for a different purpose. As chairman of the committee which has had this case in charge, it seems to me proper and becoming to say a few words.

The SPEAKER. The gentleman proceeds by unanimous consent. Is there objection? [After a pause.] The Chair hears none.

Mr. OLMSTED. When this case came before our committee it was at once apparent that it would depend largely upon the result of the examination of several thousand sealed ballots concerning which the contestant made certain allegations of irregularity. The contestee, Mr. SHAFROTH, at once stated that he did not believe that the ballots would disclose such a state of affairs, but that if they did he should decline the seat and at once acknowledge the fact. Thereupon the investigation of the ballots proceeded, as he has stated, by a subcommittee and by the handwriting expert employed under authority conferred by the House.

The reports of the subcommittee and of the expert were received by the full committee and, by resolution, submitted for one week to Mr. SHAFROTH for examination and comparison by himself and his counsel. He had not consumed the time allotted for his examination of them, and no member of the committee, I think, was aware that he was about to make the statement he has just made until just before the House assembled this morning, when he mentioned his intention to me. I think it is due to him to say that there was not in the notice of contest nor in the entire record any charge whatever in any way reflecting upon his honor or his propriety of conduct throughout the campaign. Indeed, the contestant expressly admitted before the committee that he had no allegation whatever to make against Mr. SHAFROTH, but that he believed his conduct to have been entirely proper and fair. I can only add, therefore, that there is nothing in the record in this case reflecting in the slightest degree upon the personal character or conduct of Mr. SHAFROTH. [Applause.]

On the other hand, it appears that the irregularity, while it carried his vote along with it, was not made for his special benefit; that the irregular action was not made with any special reference to him, but his vote was simply an incident, because his name was upon the ballots. I desire, Mr. Speaker, to say that his retirement from this body, like his entire course during his membership, is in entire accord with the gentleman's high sense of honor, with which all present who know him or have come in contact with him, officially or otherwise, know him to entertain at all times and to be governed by. [Applause.] The Elections Committee has had no official knowledge of the action of Mr. SHAFROTH this morning, and I do not feel at liberty to introduce any resolution without the action of the committee in that behalf. I will ask unanimous consent that Mr. Bonyng be now sworn in as a Member of this House.

Mr. PAYNE. Mr. Speaker, I do not think that that would be proper without a resolution from the committee.

Mr. SHAFROTH. Mr. Speaker, I think the gentleman can ask unanimous consent to pass the resolution. It is perfectly proper to do that.

Mr. TALBOTT. Mr. Speaker, I ask unanimous consent to make a statement in connection with this case.

The SPEAKER. The gentleman from Maryland asks unanimous consent to make a statement. Is there objection?

There was no objection.

Mr. TALBOTT. Mr. Speaker, I wish to add to the statement the chairman of the Committee on Elections No. 2 has made this fact, speaking as the leading member of the minority on that committee, that Mr. SHAFROTH took no other position with us than the manly one that unless he was fairly elected he would not occupy the seat. [Applause.]

Mr. HOGG. Mr. Speaker, I ask unanimous consent to make a statement in connection with this case.

The SPEAKER. The gentleman from Colorado asks unanimous consent to make a statement. Is there objection?

There was no objection.

Mr. HOGG. Mr. Speaker, as a member of the delegation from Colorado I wish simply to say this, that the act performed to-day by Mr. SHAFROTH is not a surprise to us who have known him for years. The high character he has attained here he has always borne in the State of Colorado, and, as representing the opposite party from him from that State, I want to say that there is no one in the State of Colorado who knows Mr. SHAFROTH but knows that he is absolutely honest. [Applause.]

GRANDE RONDE INDIAN RESERVATION, OREG.

Mr. HERMANN. Mr. Speaker, I call up the bill (H. R. 11966) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect, for its consideration under the special order.

The SPEAKER. The gentleman from Oregon calls up the special order on the bill H. R. 11966, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 11966) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect.

Whereas James McLaughlin, United States Indian inspector, acting in behalf of the United States, did, on the 27th day of June, 1901, conclude an agreement with the Indians residing on the Grande Ronde Reservation, in the State of Oregon, which said agreement is as follows:

This agreement made and entered into on the 27th day of June, 1901, by and between James McLaughlin, United States Indian inspector, on the part of the United States, and the Willamette tribes and other Indians belonging on the Grande Ronde Reservation in the State of Oregon, witnesseth:

ARTICLE I. The said Indians belonging on the Grande Ronde Reservation, Oreg., for the consideration hereinafter named, do hereby cede, surrender, grant, and convey to the United States all their claim, right, title, and interest in and to all that part of the Grande Ronde Reservation remaining unallotted on the date of this agreement, excepting the 440 acres of land reserved for Government uses at the time their allotments in severalty were made, the land hereby ceded and relinquished approximating 25,791 acres.

ART. II. In consideration of the lands ceded, relinquished, and conveyed by Article I of this agreement, the United States stipulates and agrees to pay to the said Indians the sum of \$25,500 in cash pro rata, share and share alike, to each man, woman, and child belonging on the said Grande Ronde Reservation, as follows, to wit: To adults of 18 years of age or more, within one hundred and twenty days from and after the date of the ratification of this agreement, and to each minor as they arrive at the age of 18 years; and that the pro rata shares thus retained until the beneficiaries attain the age aforesaid shall be deposited in lump sum in the Treasury of the United States to the credit of said Indians, and shall draw interest at the rate of 5 per cent per annum, which interest shall be paid to the parents or guardians of said minors annually per capita in cash, until said minors arrive at the age of 18 years, and as each of such beneficiaries arrive at the age of 18 years they shall be paid their share in full.

ART. III. It is understood and agreed that the 440 acres of land reserved for Government purposes, referred to in Article I of this agreement, shall, when no longer required by the United States for educational or other purposes in the interests of said Indians, be allotted to minor beneficiaries who have not received any allotments of land, or be sold for the benefit of the Indians, parties hereto, in the discretion of the Secretary of the Interior.

ART. IV. It is understood that nothing in this agreement shall be construed to deprive the said Indians of the Grande Ronde Reservation of any benefits to which they may be entitled under existing treaties, not inconsistent with the provisions of this agreement.

ART. V. This agreement shall take effect and be in force when signed by James McLaughlin, United States Indian inspector, and by a majority of the male adult Indians, parties thereto, and when approved by the Secretary of the Interior and accepted and ratified by the Congress of the United States.

In witness whereof the said James McLaughlin, United States Indian inspector, on the part of the United States, and the male adults of the Willamette tribes and other Indians, belonging on the Grande Ronde Reservation, Oreg., have hereunto set their hands and seals at Grande Ronde Agency, Oreg., this 27th day of June, A. D. 1901.

JAMES McLAUGHLIN,  
United States Indian Inspector.  
(John Warren and 59 others.)

I, the undersigned, do hereby certify that the foregoing agreement between the United States and the Indians of the Grande Ronde Reservation, Oreg., dated June 27, 1901, was thoroughly explained by me to said Indians, and that it was fully understood by them before signing.

JOHN WARREN, Interpreter.

GRANDE RONDE AGENCY, OREG., June 27, 1901.

We, the undersigned, do hereby certify that we witnessed the signatures of James McLaughlin, United States Indian inspector, and of the 60 male adult Indians of the Grande Ronde Reservation, Oreg., to the foregoing agreement.

MAURICE E. PEAIRS, Industrial Teacher.  
LUTHER PARKER, Teacher.

GRANDE RONDE AGENCY, OREG., June 27, 1901.

I certify that the total number of male adult Indians over 18 years of age belonging on the Grande Ronde Reservation, Oreg., is 107, of whom 60 have signed the foregoing agreement.

ANDREW KERSHAW,  
Superintendent and Special Disbursing Agent.

DEPARTMENT OF THE INTERIOR,  
December 20, 1901.

Approved.

E. A. HITCHCOCK, Secretary.

Therefore,

Be it enacted, etc., That the said agreement be, and the same is hereby, accepted, ratified, and confirmed, as herein amended and modified, as follows:

ARTICLE I. The said Indians belonging on the Grande Ronde Reservation, Oreg., for the consideration hereinafter named, do hereby cede, surrender, grant, and convey to the United States all their claim, right, title, and interest in and to all that part of the Grande Ronde Reservation remaining unallotted on the date of this agreement, excepting the 440 acres of land reserved for Government uses at the time their allotments in severalty were made, the land hereby ceded and relinquished approximating 25,791 acres.

ART. II. In consideration of the lands ceded, relinquished, and conveyed by Article I of this agreement, the United States stipulates and agrees to dispose of the same on sealed bids, and to pay to said Indians the proceeds derived from the sale of said lands in cash pro rata, share and share alike, to each man, woman, and child belonging on the said Grande Ronde Reservation, as follows, to wit: To adults of 18 years of age or more, as soon as practicable from and after the date of the ratification of this agreement, and to each minor as they arrive at the age of 18 years; and that the pro rata shares thus retained until the beneficiaries attain the age aforesaid shall be deposited in lump sum in the Treasury of the United States to the credit of said Indians, and shall draw interest at the rate of 5 per cent per annum, which interest shall be paid to the parents or guardians of said minors annually per capita, in cash, until said minors arrive at the age of 18 years, and as each of such beneficiaries arrive at the age of 18 years they shall be paid their share in full.

ART. III. It is understood and agreed that the 440 acres of land reserved for Government purposes, referred to in Article I of this agreement, shall, when no longer required by the United States for educational or other purposes in the interests of said Indians, be allotted to minor beneficiaries who have not received any allotments of land, or be sold for the benefit of the Indians parties hereto, in the discretion of the Secretary of the Interior, and under such regulations as he may prescribe.

ART. IV. It is understood that nothing in this agreement shall be construed to deprive the said Indians of the Grande Ronde Reservation of any benefits



to which they may be entitled under existing treaties not inconsistent with the provisions of this agreement.

ART. V. This agreement shall take effect and be in force when accepted and ratified by the Congress of the United States.

SEC. 2. That for the purpose of carrying the provisions of this act into effect, the Secretary of the Interior shall be, and he is hereby, authorized and directed to sell, under such rules and regulations as he may prescribe, and at such times and places as he may designate, and shall, within thirty days after the ratification of this treaty, advertise all that part of the Grande Ronde Reservation remaining unallotted on the date of the said agreement, excepting the 440 acres of land reserved for Government uses at the time their allotments in severalty were made, said unallotted lands approximating 25,791 acres: *Provided*, That said lands shall be advertised for sale in Government sections or parts of sections, and shall be sold only by separate sealed bids, and the Secretary of the Interior shall reserve the right to reject any or all of said bids: *Provided*, That the Secretary of the Interior may also receive bids in bulk for the whole tract of land thus offered for sale or separate bids for that part of said tract lying on the north side of the reservation and consisting, approximately, of 13,000 acres, and for that part of said tract lying on the south side of the reservation and also consisting of, approximately, 13,000 acres: *And provided further*, That no bids shall be accepted until the sum of all bids received shall equal or exceed \$28,500, all of which said amount, when received, shall be paid to the said Indians in cash pro rata, share and share alike, in accordance with the terms of said agreement.

SEC. 3. That the proceeds received from the sale of said lands in conformity with this act shall be paid into the Treasury of the United States, and paid to the Grande Ronde Indians or expended on their account only as provided in Article II of said agreement as herein amended.

SEC. 4. That nothing in this act contained shall in any manner bind the United States to purchase any portion of the land herein described or to dispose of said land except as provided herein, or to guarantee to find purchasers for said lands or any portion thereof, it being the intention of this act that the United States shall act as trustee for said Indians to dispose of said lands and to expend and pay over the proceeds received from the sale thereof only as received, as herein provided.

The SPEAKER. The question is first on agreeing to the preamble.

The question was taken; and the preamble was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The question was taken; and the bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

#### CONTESTED-ELECTION CASE OF BONYNGE V. SHAFROTH.

Mr. OLMSTED. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk and ask to have read.

The Clerk read as follows:

Whereas John F. Shafroth, a Member of this House returned as elected from the first district of Colorado, and whose seat is contested by Robert W. Bonyng, has this day in a frank and honorable manner, very creditable to himself, informed the House that after a consideration and examination of the ballots he is convinced that Robert W. Bonyng is entitled to the seat: Therefore

*Resolved*, That John F. Shafroth was not duly elected and is not entitled to a seat in this House.

*Resolved*, That Robert W. Bonyng was duly elected and is entitled to a seat in this House.

The SPEAKER. In the opinion of the Chair, the resolution is privileged. The question is on the resolution.

The question was taken, and the resolution was agreed to.

#### DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HITT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905, that I may move to nonconcur in the Senate amendments thereto and ask for a conference.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the diplomatic and consular appropriation bill. Is there objection?

There was no objection.

Mr. HITT. Mr. Speaker, I move to nonconcur in the Senate amendments and ask for a conference.

The SPEAKER. The question is on the motion of the gentleman from Illinois to nonconcur in the Senate amendments and ask for a conference.

The question was taken, and the motion was agreed to.

The SPEAKER appointed the following conferees on the part of the House: Mr. HITT of Illinois, Mr. ADAMS of Pennsylvania, and Mr. DINSMORE of Arkansas.

#### ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 12 o'clock and 40 minutes p. m.) the House adjourned until to-morrow at 12 o'clock.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Delaware

Bay Harbor of Refuge, Delaware—to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the sloop *Cato*, William Wyman, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brig *Eliza*, Daniel Seymour, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Venus*, Benjamin Hutchings, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brig *Leonard*, Samuel C. Hills, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Nancy*, Thomas Hadaway, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Redress*, John Grozier, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brig *Nathaniel*, David Young, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Polly*, John Perkins, master—to the Committee on Claims, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. TRIMBLE, from the Committee on Claims, to which was referred the bill of the House (H. R. 2591) for the relief of W. S. Feland, late deputy collector second Kentucky district, reported the same without amendment, accompanied by a report (No. 920); which said bill and report were referred to the Private Calendar.

Mr. NEVIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 6921) for the relief of the estate of Mary P. Gilmore, reported the same with amendment, accompanied by a report (No. 921); which said bill and report were referred to the Private Calendar.

Mr. MILLER, from the Committee on Claims, to which was referred the bill of the House (H. R. 10925) directing the issue of a check in lieu of a lost check drawn in favor of the Pittsburg Shear, Knife and Machine Company, now the Heppenstall Forge and Knife Company, of Pittsburg, Pa., reported the same without amendment, accompanied by a report (No. 922); which said bill and report were referred to the Private Calendar.

Mr. CLAUDE KITCHIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 7190) for the relief of the Bank of North Wilkesboro, reported the same with amendment, accompanied by a report (No. 923); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the House (H. R. 3333) for the relief of the Columbia Brewing Company, of Shenandoah, Pa., reported the same with amendment, accompanied by a report (No. 924); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 11923) for the relief of James T. Kilbreth, George R. Bidwell, and Nevada N. Stranahan, as collectors of customs for the district and port of New York, reported the same without amendment, accompanied by a report (No. 925); which said bill and report were referred to the Private Calendar.

Mr. HOWELL of Utah, from the Committee on Claims, to which was referred the bill of the House (H. R. 2193) for the relief David Tweed, reported the same with amendment, accompanied by a report (No. 926); which said bill and report were referred to the Private Calendar.

Mr. GOLDFOGLE, from the Committee on Claims, to which



was referred the bill of the House (H. R. 9457) for the relief of Alexander S. Rosenthal, reported the same without amendment, accompanied by a report (No. 927); which said bill and report were referred to the Private Calendar.

Mr. LIND, from the Committee on Claims, to which was referred the bill of the House (H. R. 9981) for the relief of Darwin S. Hall, reported the same without amendment, accompanied by a report (No. 928); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 4637) authorizing and directing the Secretary of the Treasury to pay James L. Anderson the sum of \$798.28, reported the same without amendment, accompanied by a report (No. 929); which said bill and report were referred to the Private Calendar.

Mr. LIND, from the Committee on Claims, to which was referred the bill of the Senate (S. 2696) authorizing and directing the Secretary of the Treasury to pay John F. Weston the sum of \$241.60, and so forth, reported the same without amendment, accompanied by a report (No. 930); which said bill and report were referred to the Private Calendar.

Mr. GOOCH, from the Committee on Claims, to which was referred the bill of the Senate (S. 334) for the relief of N. F. Palmer, Jr., & Co., reported the same without amendment, accompanied by a report (No. 931); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 199) for the relief of John H. McLaughlin, reported the same with amendment, accompanied by a report (No. 932); which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9834) granting an increase of pension to Elizabeth McL. Haughey, and the same was referred to the Committee on Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MAYNARD: A bill (H. R. 12376) to provide for celebrating the first permanent settlement of English-speaking people by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mines, forests, and the sea, in the vicinity of Jamestown, and on and near the waters of Hampton Roads, in the State of Virginia, and to authorize an appropriation in aid thereof—to the Select Committee on Industrial Arts and Expositions.

By Mr. MIERS of Indiana: A bill (H. R. 12377) in amendment of sections 2 and 3 of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents"—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 12378) to make certain the mileage to be charged to and collected from parties other than the United States—to the Committee on the Judiciary.

By Mr. BISHOP: A bill (H. R. 12379) to provide a temporary home for ex-volunteer Union soldiers and sailors in the District of Columbia—to the Committee on Military Affairs.

By Mr. JACKSON of Ohio: A bill (H. R. 12380) to construct and complete jetties and piers, and to dredge channel and harbor to a depth of 21 feet, at Huron Harbor, Ohio—to the Committee on Rivers and Harbors.

By Mr. SLEMP: A bill (H. R. 12381) for the establishment, control, operation, and maintenance of a sanitarium for disabled volunteer soldiers at New River, White Sulphur Springs, in the State of Virginia—to the Committee on Military Affairs.

By Mr. CURTIS (by request): A bill (H. R. 12382) authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes—to the Committee on Indian Affairs.

Mr. STEPHENS of Texas: A bill (H. R. 12383) establishing a United States court and recording district at Duncan, Ind. T., and conforming other districts therewith—to the Committee on the Judiciary.

Also, a bill (H. R. 12384) granting a right of way to the Texas, Mountain Park and Northwestern Railroad, and for other purposes—to the Committee on Indian Affairs.

By Mr. WEBB: A bill (H. R. 12385) appropriating \$50,000 for a textile and agricultural exhibit by the Government of the

United States at Cape Town, South Africa, during the months of December, 1904, and January, 1905—to the Select Committee on Industrial Arts and Expositions.

By Mr. BOWERS: A bill (H. R. 12386) to authorize W. Denny & Co. to bridge Dog River, in the State of Mississippi—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTS: Memorial of the legislature of Massachusetts, favoring a bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 12387) granting an increase of pension to Henry Wimer—to the Committee on Invalid Pensions.

By Mr. BISHOP: A bill (H. R. 12388) granting an increase of pension to Adam Shiria—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12389) granting an increase of pension to Napoleon Paulus—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 12390) for the relief of Reuben R. Sea—to the Committee on Military Affairs.

By Mr. CRUMPACKER: A bill (H. R. 12391) granting an increase of pension to Hattie A. Towle—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 12392) granting a pension to John Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12393) for the relief of John W. Magann—to the Committee on Claims.

Also, a bill (H. R. 12394) for the relief of Stephen Murphy—to the Committee on Military Affairs.

Also, a bill (H. R. 12395) for the relief of H. J. Tisdale—to the Committee on Military Affairs.

Also, a bill (H. R. 12396) granting an increase of pension to James Mecham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12397) granting an increase of pension to Alfred Chill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12398) granting an increase of pension to Samuel N. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12399) granting an increase of pension to James Slater—to the Committee on Invalid Pensions.

By Mr. FLACK: A bill (H. R. 12400) granting a pension to Ellen Cain—to the Committee on Pensions.

By Mr. GAINES of West Virginia: A bill (H. R. 12401) granting a pension to Henry J. Hefner—to the Committee on Invalid Pensions.

By Mr. GILLET of New York: A bill (H. R. 12402) granting a pension to Orson Burlingame—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill (H. R. 12403) granting a pension to John Aldrich—to the Committee on Pensions.

Also, a bill (H. R. 12404) granting an honorable discharge to William H. H. Thompson, late acting master's mate, United States Navy—to the Committee on Naval Affairs.

By Mr. GRIFFITH: A bill (H. R. 12405) granting an increase of pension to Hiram N. Humphrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12406) granting an increase of pension to William H. Buchanan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12407) granting a pension to Josephine Dumont—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12408) to correct the military record of Lewis Gannon—to the Committee on Military Affairs.

By Mr. HAMILTON: A bill (H. R. 12409) granting a pension to Celina M. Bass—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12410) granting an increase of pension to Anson R. Hodgkins—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 12411) granting an increase of pension to Joseph D. Walser—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 12412) granting an increase of pension to Josiah D. Fye—to the Committee on Invalid Pensions.

By Mr. KYLE: A bill (H. R. 12413) granting an increase of pension to Timothy Haley—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 12414) granting an increase of pension to John S. Crosser—to the Committee on Invalid Pensions.

By Mr. CHARLES B. LANDIS: A bill (H. R. 12415) granting an increase of pension to Reuben W. Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12416) granting an increase of pension to Charles C. Duncan—to the Committee on Invalid Pensions.

By Mr. LUCKING: A bill (H. R. 12417) granting a pension to Hiram Parker—to the Committee on Invalid Pensions.



Also, a bill (H. R. 12418) to reimburse \$337.52 to the administratrix of estate of Col. Philip Kirschner—to the Committee on Claims.

By Mr. MIERS of Indiana: A bill (H. R. 12419) granting an increase of pension to Luke Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12420) granting an increase of pension to Harvey Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12421) granting a pension to Hugh Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12422) granting a pension to Abigail Tharp—to the Committee on Pensions.

Also, a bill (H. R. 12423) granting a pension to Y. E. Alexander—to the Committee on Pensions.

By Mr. SHERMAN: A bill (H. R. 12424) for the relief of William Gardner—to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 12425) for the relief of the legal representatives of Jennings H. Courts, deceased—to the Committee on War Claims.

By Mr. SPALDING: A bill (H. R. 12426) to permit the appointment of Frank L. Anders as second lieutenant in the United States Army—to the Committee on Military Affairs.

By Mr. SPIGHT: A bill (H. R. 12427) for the relief of Homer H. Flanagan, late a private in Company K, First Mississippi Volunteer Infantry, Spanish-American war—to the Committee on War Claims.

By Mr. STEPHENS of Texas (by request): A bill (H. R. 12428) granting an increase of pension to Andrew L. Hook—to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 12429) granting an increase of pension to Westley McCleary—to the Committee on Pensions.

Also, a bill (H. R. 12430) for the relief of Kate Kearney Henry, widow and administratrix of James L. Henry, deceased—to the Committee on Claims.

Also, a bill (H. R. 12431) for the relief of Catherine C. McGowan, widow and administratrix of Michael A. McGowan, deceased—to the Committee on Claims.

By Mr. WADSWORTH: A bill (H. R. 12432) granting an increase of pension to George Thayer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12433) granting an increase of pension to Wallace E. Hughson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12434) granting an increase of pension to Rebecca McKinney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12435) granting an increase of pension to Charles A. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12436) granting a pension to Ida E. Nerber—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 12437) granting an increase of pension to William H. Crites—to the Committee on Invalid Pensions.

By Mr. WRIGHT: A bill (H. R. 12438) granting an increase of pension to William Fetzer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12439) granting a pension to Lydia Gavitt—to the Committee on Invalid Pensions.

By Mr. YOUNG: A bill (H. R. 12440) granting an increase of pension to Edward M. Shepard—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Department of the Potomac, Grand Army of the Republic, favoring the passage of service-pension bill—to the Committee on Invalid Pensions.

Also, memorial of the Massachusetts legislature, favoring legislation to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. ADAMS of Pennsylvania: Resolution of board of directors of the Philadelphia Bourse, favoring the conclusion of treaties with other nations referring international questions to the court of arbitration at The Hague—to the Committee on Foreign Affairs.

By Mr. ALEXANDER: Resolution of Licensed Tugmen's Protective Association of Buffalo, N. Y., opposing building of dredges by the Government—to the Committee on Naval Affairs.

Also, petition of the Gilbert S. Graves Bible Class, of Buffalo, N. Y., opposing passage of so-called original-package bill—to the Committee on the Judiciary.

By Mr. BABCOCK: Papers to accompany bill H. R. 2005, granting increase of pension to Alexander J. Hood—to the Committee on Invalid Pensions.

Also, resolution of members of Methodist Episcopal Church of Union Mills, Wis., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURKETT: Petition of Young People's Society of Christian Endeavor of the Second Presbyterian Church of Lincoln, Nebr., favoring the passage of a bill to prevent nullification of State liquor laws and no-license ordinances—to the Committee on the Judiciary.

Also, petition of Young People's Society of Christian Endeavor of the Second Presbyterian Church of Lincoln, Nebr., asking for the abolishing of the canteen in Soldiers' Homes—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Young People's Society of Christian Endeavor of Lincoln, Nebr., favoring passage of McCumber bill prohibiting the sale of liquor on Government premises—to the Committee on Alcoholic Liquor Traffic.

Also, petition of F. W. Rodenbrock and 51 other voters of Nebraska City, Nebr., favoring passage of Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. CURTIS: Resolution of the Building Trades Employers' Association of Topeka, Kans., against bill H. R. 11060—to the Committee on the Judiciary.

Also, petitions of citizens of Topeka and Ozawie, Kans., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of Victor Post, No. 293, of Fort Dodge; Johnson Post, No. 336, of Atchison; Jesse Nelson Post, No. 62, of Tecumseh, and Blue Post, No. 250, of Topeka, Kans., Grand Army of the Republic, and Union soldiers and sailors who served in war of 1861-1865, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Mrs. M. D. Ellis and 46 other voters of Pardee, Kans., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DALZELL: Papers to accompany bill H. R. 6558, for increase of pension for Robert H. Long—to the Committee on Invalid Pensions.

By Mr. DRAPER: Resolution of Maritime Association of the Port of New York, favoring the completion of breakwater at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. ESCH: Petition of E. R. Johnson and 15 other voters of the Seventh district of Wisconsin, opposing the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Independent Order of Good Templars of Withee, Wis., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, memorial of the National Association of Rural Carriers, F. H. Cunningham, of South Omaha, Nebr., president, in the interest of rural letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. GAINES of West Virginia: Petition of trustees of the Methodist Episcopal Church of Webster, W. Va., asking that claim of \$720, under act of July 4, 1864, be referred to the Court of Claims for a finding of facts, as provided by act of Congress approved March 3, 1883, known as the Bowman Act—to the Committee on War Claims.

Also, petition of W. H. Raidin and 38 other voters of Mount Hope; H. E. Williams, of Duo, and L. S. Lee and 74 other voters of Jefferson district, all in West Virginia, favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GRIFFITH: Papers to accompany House bill for increase of pension for H. Buchanan—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for increase of pension of Hiram N. Humphrey—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for increase of pension to Eli Duvall—to the Committee on Invalid Pensions.

By Mr. HAMLIN: Petition of F. A. Mossin and 100 other voters, of Howard County, Mo., favoring passage of bill H. R. 4508, the Brownlow bill—to the Committee on Agriculture.

Also, affidavits to accompany claim of Athel A. McAlister and J. T. Butler—to the Committee on War Claims.

By Mr. HAMILTON: Petition of Harlon Briggs Post, No. 80, Grand Army of the Republic, of Hopkins Station, Mich., favoring the service-pension bill—to the Committee on Invalid Pensions.

By Mr. HASKINS: Resolution of Johnson Post, No. 23, Grand Army of the Republic, Department of Vermont, favoring the service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Chamberlain Post, No. 1, Grand Army of the Republic, Department of Vermont, favoring the service-pension bill—to the Committee on Invalid Pensions.

By Mr. HEPBURN: Petition of citizens of Russell, Iowa, favoring passage of bill H. R. 4072, the Hepburn-Dolliver bill—to the Committee on the Judiciary.



By Mr. HINSHAW: Resolution of H. C. Haskins, H. L. Wehenkel, and H. Frendenburg, patrons of rural free-delivery route No. 1, of Madison, Nebr., favoring increased pay for rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. LACEY: Petition of George T. Jackson and 10 others, of Montezuma, Iowa, opposing passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. LINDSAY: Resolution of Dry Goods Reporter, of Chicago, Ill., opposing the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the National German-American Alliance, of Philadelphia, Pa., opposing the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Maritime Association of the Port of New York, favoring completion of harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. LITTLEFIELD: Petition of W. S. Coleman and 55 other voters of Lisbon, Me., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MIERS of Indiana: Petition of S. N. Slinkaid, teacher, and pupils of public schools of Linton, Ind., to have monument erected at Lundys Lane, Ind., for American soldiers buried there—to the Committee on the Library.

Also, papers to accompany House bill to grant pension to Hugh Alexander—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for increase of pension of Eli B. Holmes—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for increase of pension of Harvey Miller—to the Committee on Invalid Pensions.

Also, petition of C. S. Sherwood and 26 other voters of Linton, Ind., opposing parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. PATTERSON of Pennsylvania: Papers to accompany House bill granting increase of pension to Hugh M. Stevenson—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for increase of pension to Charles H. Barnard—to the Committee on Invalid Pensions.

By Mr. PAYNE: Papers to accompany bill H. R. 12098, for increase of pension to Edwin M. Slayton—to the Committee on Invalid Pensions.

By Mr. RAINEY: Petition of John C. Morse and 52 other merchants of Illinois, opposing parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RIDER: Resolution of the Maritime Exchange of the Port of New York, favoring completion of work on breakwater at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. ROBERTS: Resolution of General E. W. Hinks Post, No. 95, Grand Army of the Republic, of Sawyer, Mass., favoring passage of the service-pension bill—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of R. C. Ocker and 10 citizens of Lagrange, Ind., opposing parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Resolution of the Maritime Association of the Port of New York, favoring completion of breakwater at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. SIBLEY: Resolution of Robert Kinnear Post, No. 632, Grand Army of the Republic, of Youngsville, Pa., favoring passage of the service-pension bill—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: Papers to accompany bill H. R. 1767, granting a pension to Elizabeth Morris—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 1750, granting pension to Columbus B. Allen—to the Committee on Invalid Pensions.

By Mr. SPALDING: Protest of citizens of Morton County, N. Dak., opposing the division of the Bismarck land district—to the Committee on the Public Lands.

By Mr. SPIGHT: Paper to accompany claim of Homer H. Flanagan—to the Committee on War Claims.

By Mr. STEPHENS of Texas: Petition of J. M. Hatcher & Co. and 20 other merchants of Lewisville, Tex., opposing parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, memorial from citizens of Gainesville, Tex., favoring passage of good-roads bill—to the Committee on Agriculture.

By Mr. SULLOWAY: Papers to accompany bill H. R. 9834, for increase of pension of Elizabeth M. L. Haughey—to the Committee on Pensions.

By Mr. TALBOTT (by request): Petition of Rev. J. E. Nicholson and 19 other voters of Finksburg, Md., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. THAYER: Petition of Oliver R. Cook and 30 voters of Worcester, Mass., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

## SENATE.

TUESDAY, February 16, 1904.

## THE PRAYER.

The Chaplain, Rev. EDWARD EVERETT HALE, offered the following prayer:

"For we know that if our earthly house of this tabernacle were dissolved, we have a building of God, an house not made with hands, eternal in the heavens."

"Behold, I shew you a mystery," he writes. "I make plain to you that that has been a mystery."

"We shall not all sleep, but we shall all be changed, in a moment, in the twinkling of an eye, \* \* \* for this corruptible must put on incorruption, and this mortal must put on immortality."

Father, these who have known him best, these who have loved him, they come to Thee to ask Thy strength for weakness, for light in darkness, and that Thou wilt interpret unto them the lessons of life and death. All of us, Father, who knew him to love him and to honor him, we are altogether, with those nearest to him in his home, in the sorrows of this hour.

Come near to us as only our Father can come near to us. Show us what it is to be the immortal children of an eternal God. Train us to new service and larger service when we go from world to world or from life to life, to be with Thee in this infinite heaven of Thine.

Father, we pray for this nation, that she may always have counselors from the midst of her, men who know her people and who know the world and are willing to join with one heart and with one voice that this may be the kingdom of Thy love. Be with us in our sorrows as Thou hast been in our joys. We ask it in Christ Jesus.

Our Father who art in heaven, hallowed be Thy name, Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil, for Thine is the kingdom and the power and the glory, forever. Amen.

## THE JOURNAL.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. ALDRICH, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

## DEATH OF SENATOR HANNA.

Mr. FORAKER. Mr. President, I have a painful duty to perform. It is that of making formal announcement of the death of my late colleague, Hon. MARCUS A. HANNA. He departed this life in this city, at the Arlington Hotel, where he has been residing during this session of the Senate, at the hour of 6.40 p. m. yesterday, surrounded by his family and immediate friends.

The event was not unexpected at the time when it occurred. For months past it has been evident to all who were associated with him that he was in failing health.

He was urgently and repeatedly advised to desist from his labors and make a special effort to resist his maladies, but his strong will power, hopeful nature, and fidelity to duty were such that he disregarded all such suggestions and continued at his post until about three weeks ago, when he was prostrated by typhoid fever.

His friends then became justly alarmed. That alarm spread throughout the country, and in response to unusual manifestations of public sympathy his physicians bulletined his condition daily and finally almost hourly.

As the days passed hope failed, until all recognized that the "inevitable hour" was approaching.

Thus it was that the end did not come as a surprise, but the regret it has occasioned appears to be more profound and universal on that account.

His bereaved family have been the recipients of messages and telegrams of grief and condolence from all sections and from all classes.

He is mourned by all his countrymen—by his political associates not alone because he was their great organizing leader who repeatedly led them to victory, but also and more especially because he had gained their affections and reigned in their hearts as a favorite; by his political opponents because they are chivalrous and generous enough to experience sorrow when a brave man falls, though he be of the opposition, and because they recognized in him a bold and fearless foe, who commanded their respect and excited their admiration.

Here in the Senate, where he was so long a distinguished member, he was best known and most appreciated.

It is unnecessary to speak in this presence of the great loss his